



In the matter of Bon-  
nomally Mookerjee, of  
Sickdarparrah Lane, in  
Calcutta, lately carrying  
on business in co-part-  
nership with Sonawool-  
lah Mistry, Ramcoomar  
Mullick, and Sookloll  
Byrgeee, an Insolvent. } On Thursday, the  
17th day of January  
instant, it was ordered  
that the matters of the  
petition of the said In-  
solvent be heard on  
Saturday, the 2nd day  
of March next, and that  
the said Insolvent do  
then attend to be examined by the said Court.

P. C. Mookerjee, *Attorney.*

In the matter of Gool-  
zareemul, an Insolvent. } On Saturday, the 12th  
day of January instant,  
by three several orders  
of this Court, the said  
Insolvents were respec-  
tively adjudged entitled  
to their personal dis-  
charge, under the Act  
XI. Vic. cap. XXI., as  
to all persons named in  
their Schedules as Creditors or claiming to be  
Creditors respectively.

Templeton and Carrapiet, *Attorneys.*

Goodall, *Attorney.*

Allan and Judge, *Attorneys.*

In the matter of Mool-  
tanchund Lahootee, } On Thursday, the  
17th day of January  
instant, it was on the  
petition of Hohns Chund,  
a Creditor of the said  
Insolvent, adjudged that  
the said Mooltanchund  
Lahootee hath committed an act of insolvency,  
under the provisions of the Act XI. Vic. cap.  
XXI. and by another order of the same date  
the Estate and Effects of the said Insolvent were  
vested in the Official Assignee.

W. W. and C. D. Linton, *Attorneys.*

In the matter of George  
Henry Brookes, of Free  
School Street, in Cal-  
cutta, an Assistant in  
the Office of the Con-  
troller and Auditor of  
of the Public Works  
Accounts, an Insolvent. } Notice, that an appli-  
cation for an *ad interim*  
protection order has been  
this day made by the  
said Insolvent, and that  
such application will be  
heard and disposed of by  
the Acting Commis-  
sioner of the Insolvent Court, on Friday, the 25th  
day of January instant, at the hour of 10 o'Clock  
in the forenoon.

"Any Creditor of the said Insolvent desir-  
ing of opposing such application must appear before  
the said Court at the time and place aforesaid."

Orr and Bannerjee, *Attorneys.*

Chief Clerk's Office, the 18th January 1861.

#### Bonded warehouse.

Notice is hereby given to the Holder of Warrant  
No. 10600, dated 15th July 1859, for fifty Frames  
P. B. of Patent Felt imported by the Ship  
*Augustus Wattenbach*, and bonded by Baboo  
Beharryloll Day, that if the rent due thereon is  
not paid within one month from this date, the  
Association will proceed, under the 20th of its  
Bye Laws, to sell the same or so much thereof as  
may be necessary to pay the arrears of rent and all  
costs and charges in respect thereof.

H. W. J. Wood,  
*Secretary.*

CALCUTTA,  
The 15th January 1861. }

#### Bonded Warehouse.

Notice is hereby given to the Holder of War-  
rant No. 10404, dated 24th March 1859, for eigh-  
teen Frames and 242 Rolls of Felt imported by the  
Ship *Royal Stuart*, and deposited in the Ware-  
house by Messrs. JOHN MORRISON, NEWSON, & Co.,  
that if the rent due thereon is not paid within  
one month from this date, the Association will  
proceed, under the 20th of its Bye Laws, to sell the  
same or so much thereof as may be necessary to  
pay the arrears of rent and all costs and charges in  
respect thereof.

H. W. J. Wood,  
*Secretary.*

CALCUTTA,  
The 15th January 1861. }

#### Uncovenanted Service Family Pension Fund.

THE Twenty-third Annual General Meeting  
of Subscribers to the above Institution will be  
held in the Town Hall, on Saturday, the 26th  
January 1861, at 9 A. M., to receive the Report  
of the Directors, and to consider such matters as  
may then be submitted.

By Order of the Directors,  
R. C. TULLOH,  
*Secretary.*

UNCOVENANTED SERVICE FAMILY  
PENSION FUND OFFICE,  
The 1st December 1860. }

#### Notice.

THE Interest of MR. THOMAS WISEMAN, of Glas-  
gow, as a Partner in the Firm of the undersigned,  
has ceased from this date.

MAIR & Co.

CALCUTTA,  
The 15th January 1861. }

MR. JOHN SHEPHERD DOUGLAS has today been  
admitted a Partner in our Firm.

MAIR & Co.

CALCUTTA,  
The 15th January 1861. }

#### Notice.

MR. JOHN PARRATT, JUNIOR, has this day been  
admitted a Partner in our Firm.

KELLY AND CO.

CALCUTTA,  
The 1st January 1861. }

#### Notice.

MR. GUSTAVE SCHWEIGHAEUSER will sign our  
Firm in full from the 15th January 1861.

RUUTZ-REES AND Co.

CALCUTTA,  
The 14th January 1861. }

COPIES OF THE  
**Report of the Indigo Commission,**

TOGETHER WITH

**The whole of the Evidence**

TAKEN BEFORE THE COMMISSION,

AND THE

APPENDICES, Nos. I., II., AND III.,

Can be had on application to the PRINTER of the  
*Calcutta Gazette*, Bengal Office, at 8 Rupees per  
copy.

**Lost, Stolen, or Destroyed.**

THE under-mentioned Government Promissory  
Note, standing in the names of Captain W. R.  
Hillersdon and G. Berresford, the owners, by whom  
it was never endorsed to any person. Payment of  
the Note, and of Interest thereon, has been stopped  
at the Loan Office, and application is about to be  
made for the issue of a duplicate:—

*Particulars of the Government Security.*

No. 6258 of 19886 of 1842-43, for Rs. 14,000.

J. WELCH,

*Offg. Admr. Genl.*

**Notice.**

A PROMISSORY Note, No. 10717, of the 5 Per  
Cent. Loan of 1856-57, for Rupees 500, of  
which I am the Proprietor, has been lost. I insert  
this Notice to enable me to apply for a duplicate.

J. DOWMAN,

*Asst. Settlement Officer.*

HYDRABAD DISTRICTS; SCINDE, }  
*The 27th December 1860.*

**Caution.**

THE Public are hereby cautioned against pur-  
chasing the under-mentioned 4 Per Cent.  
Government Promissory Note, formerly standing  
in the name of Emamoon Nessa Khanum, by whom  
it was transferred to me, and which is now lost or  
stolen from my House:—

No. 975 of 4145 of 1835-36, for Company's  
Rupees 800.

GUNCA SAHOY.

CAWNPUR; }  
*Elanah Bazar,*  
*The 16th December 1860.*

**Lost,**

A PIECE of Government Promissory Note, No.  
39329 of 1854-55, of the 4 Per Cent Loan, casually  
lost on Saturday last, the 12th day of January  
instant, while passing by the Evening Train of  
that day from Calcutta to Sreerampore.

CALLYDASS DAY SIRCAR.

*15th January 1861.*

**Lost,**

THE left-hand halves of Bank of Bengal Notes,  
Nos. 10062A. and 10065A. for Rupees 10 each.  
Payment stopped at the Bank.

**Lost,**

FIRST-HALF of a Bank of Bengal Note,  
No. 26818A, for Rupees Ten only. Payment  
stopped at the Bank.

**NOTICE issued by the POST-MASTER  
GENERAL of BENGAL.**

No. 7637.

THE Public are informed, that an Experimental  
Post Office has been opened at Perozepore, situated  
between Khoolneah and Moharajgunge, in the  
District of Backergunge.

C. K. DOVE,

*Post-Master General of Bengal.*

CAMP ELLIOTTGUNG, }  
*The 14th January 1861.*

**NOTICES issued by the  
POST-MASTER of CALCUTTA.**

No. 2147.

*The 3th January 1861.*—The Public are  
informed that an Express Packet, to the extent of  
200 Ounces, will be sent to Bombay on Saturday,  
the 19th instant, and Letters will be received up  
to 6 P. M. of the same day.

Each Firm or Individual will be allowed to  
send Letters up to one Ounce in weight, and the  
Express Postage must be paid in Cash at the  
Window, at one Rupee for every quarter of an  
Ounce, in addition to the Steamer Postage paid by  
Stamps.

No. 2450.

*The 9th January 1861.*—The Overland Mail  
per Steamer *Simla* will be closed on Tuesday, the  
22nd instant, at 6 P. M.

Letters for Madras, Ceylon, the Straits, China,  
Mauritius, and Australia, can be sent by this  
opportunity.

	Weight.	Via Marseilles.	Via Southampton.
Postage.	Under $\frac{1}{4}$ ounce	Rs. 0 6 0	Rs. 0 4 0
	" $\frac{1}{4}$ "	" 0 8 0	
	" $\frac{1}{2}$ "	" 0 14 0	
	" 1 "	" 1 0 0	
	" 2 "	" 2 0 0	

No. 4424.

*The 11th January 1861.*—The Post Master of  
Calcutta begs to notify that the Bullock Train  
will again be open to the Public from this date.

No. 2489.

*The 12th January 1861.*—Notice is hereby  
given, that the Mails for Penang, Singapore, and  
Hong-Kong, for transmission per Steamer *Lance-  
field*, will be closed at this Office on Saturday the  
19th instant, at 6 P. M.

No. 4534.

*The 18th January 1861.*—The Steamer *Simla*  
will pass Kedgeres about 8 and 9 A. M. on the  
24th instant without anchoring. An endeavor will  
be made to get an After Packet on board, consisting  
of letters posted up to 1 P. M. on the 23rd inst.

PACKETS for the reception of Letters by the following Ships are open at this Office :—

NAME OF VESSEL.	Agents.	Intended Departure.	For what Port.	Touching at	REMARKS.
Steamer <i>Simla</i> ...	P. & O. S. N. Co. ...	23rd Jan. 1861 ..	Suez	Madras, Ceylon, & Aden	
" <i>Baltic</i> ...	Mackinnon, McKenzie & Co.	24th " "	Madras	Binlipatam and Cocanada.	
" <i>Lancefield</i> ..	Jardine, Skinner and Co. ...	20th " "	Hong-Kong	Penang and Singapore.	

The 18th January 1861.



# The Calcutta Gazette.

WEDNESDAY, JANUARY 23, 1861.

## LEGISLATIVE COUNCIL OF INDIA.

THE 19TH JANUARY 1861.

THE following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor-General on the 12th January 1861, and is hereby promulgated for general information:—

ACT No. I. OF 1861.

*An Act for the improvement of the administration of Justice and despatch of business in the Supreme Court of Judicature in Bombay.*

WHEREAS it is expedient to effect an improvement in the administration of Justice and despatch of business in the Supreme Court of Judicature in Bombay: It is enacted as follows:—

I. From and after the passing of this Act, it shall be lawful for any one of the Judges of the Supreme Court of Judicature at Bombay, when occasion shall so require, to sit apart from the other Judges or Judge, as the case may be, of the same Court, for the despatch of the Plea Side, or the Equity, or other business of the said Court, at the same time when the other Judges or Judge, as the case may be, of the said Court, shall be sitting for the despatch of business of any description in the said Supreme Court: and all proceedings whatever so had by and before such Judge, so sitting apart for the purpose aforesaid, shall be good, valid, and effectual in law to all intents and purposes as fully as if the said proceedings were had before all the Judges of the said Court.

II. The said Court shall issue such new Rules and Orders as may be necessary for the purpose of giving full effect to the provisions herein contained.

M. WYLLIE,  
Clerk of the Council.

THE 12TH JANUARY 1861.

THE following Bill was read a second time in the Legislative Council of India on the 12th January 1861, and was referred to a Select Committee who are to report thereon after the 16th of April next:—

*A Bill to amend Act VIII of 1859 (for simplifying the Procedure of the Courts of Civil Judicature not established by Royal Charter).*

WHEREAS it is expedient to amend Act VIII of 1859 (for simplifying the Procedure of the Courts of Civil Judicature not established by Royal Charter): It is enacted as follows:—

1. Sections 23, 271, 283, and 375 of Act VIII of 1859 are hereby repealed.

2. Every process requested to be issued under Act VIII of 1859 shall be served at the expense of the party at whose instance it is issued, unless otherwise specially directed by the Court, and the sum required to defray the cost of such service shall be paid into Court before the process is issued within a period to be fixed by the Court issuing the process.

Requisite sum to be paid into Court within a certain time before process is issued.

3. If, on the day fixed for the defendant to appear and answer to a suit, it shall be found that the summons to the defendant has not been served in consequence of the failure of the plaintiff to deposit within the time allowed the sum required to defray the cost of issuing the summons, the Court may order that the suit be dismissed.

Whenever a suit is dismissed under the provisions of this Section, the plaintiff shall be at liberty to institute a fresh suit, unless precluded by the rules for the limitation of actions; or if the plaintiff shall satisfy the Court within the period of thirty days from the date of the order that there was a



sufficient excuse for his not making such deposit within the time allowed, the Court may order a fresh summons to issue upon the plaint already filed.

4. When a person arrested under a warrant in

Procedure on application for discharge by a person arrested in execution of a decree for money.

execution of a decree for money shall, on being brought before the Court, apply for his discharge on either of the grounds mentioned in Section 273 of Act VIII of 1859, the Court shall examine the applicant in the presence of the plaintiff or his pleader as to his then circumstances, and as to his future means of payment, and shall call upon the plaintiff to shew cause why he does not proceed against any property of which the defendant is possessed, and why the defendant should not be discharged, and should the plaintiff fail to shew such cause, the Court may direct the discharge of the defendant from custody. Pending any enquiry which the Court may consider it necessary to make into the allegations of either party, the Court may leave the defendant in the custody of the Officer of the Court to whom the service of the warrant was entrusted, on the defendant depositing the fees of such Officer which shall be at the same daily rate as the rate charged in the same Court for issuing process, or if the defendant furnish good and sufficient security for his appearance at any time when called upon while such enquiry is being made, his surety or sureties undertaking in default of such appearance to pay the amount mentioned in the warrant, the Court may release the defendant on such security.

5. All questions regarding the amount of any

How questions regarding amount of mesne profits and interest, and sums paid in satisfaction of decrees &c., are to be determined.

mesne profits which by the terms of the decree may have been reserved for adjustment in the execution of the decree, or of any mesne profits or interest which may be payable in respect of the subject matter of a suit between the date of the institution of the suit and execution of the decree, as well as questions relating to sums alleged to have been paid in discharge or satisfaction of the decree or the like, and any other questions arising between the parties to the suit in which the decree was passed and relating to the execution of the decree, shall be determined by order of the Court executing the decree and not by separate suit, and the order passed by the Court shall be open to appeal. Provided that if upon a perusal of the petition of appeal and of the order against which the appeal is made, the Court shall see no reason to alter the order, it may reject the appeal, and it shall not be necessary in such case to summon the respondent before the order of rejection is passed.

6. An appeal from an order passed in execution

Appeals from orders rejected under Section 304 Act VIII of 1859 may be admitted on application.

of a decree which shall have been rejected as inadmissible under Section 304 Act VIII of 1859, or which would have been inadmissible before the passing of this Act, but which is rendered admissible by this Act, may be admitted on an application in writing to the Court which rejected the appeal or by which the appeal, had it been admissible before the passing of this Act, would have been cognizable, provided the application be preferred within ninety days from the date of the

passing of this Act. The application may be

Application to be on Stamp paper.

written on the Stamp paper prescribed for petitions in the Court to which it is presented when a Stamp on petitions is required.

7. When the land sold in execution of a decree

Co-sharer of a share of a Putteedaree estate sold in execution of decree may claim to take the share at the sale price.

is a share of a Putteedaree Estate paying revenue to Government, as defined in Section 11 Act I of 1845 (to amend Act XII of 1841, entitled an Act for amending the Bengal Code in regard to sales of land for arrears of Revenue), if the lot shall have been knocked down to a stranger, any co-sharer other than the judgment debtor, or any other member of the coparcenary may claim to take the share sold at the sum at which the lot was knocked down. Provided that the claim be

Proviso.

made on the day of sale, and that the claimant fulfil all the

conditions of the sale.

8. If the application for the admission of a

Application for the admission of a special appeal informally drawn up, how to be dealt with.

special appeal be not written on a Stamp paper of the prescribed value, or if it be not drawn up in the manner laid down in Section 374 of Act VIII of 1859,

or if it do not contain any ground on which a special appeal will lie under the provisions of Section 372 of the said Act, the Court may reject the application or may return it to the party for the purpose of being corrected. The order for rejecting the application or for returning it to the party may be passed by a single Judge of the Court. When the application is correctly drawn up, it shall be registered in a book to be kept for that purpose, which shall be in the form contained in the Schedule D. of the said Act, and the case shall proceed in all other respects as a regular appeal, and shall be subject to all the rules hereinbefore provided for such appeals so far as the same may be applicable.

Construction.

9. This Act shall be read and taken as part of Act VIII

of 1859.

M. WYLIE,

Clerk of the Council.

THE 12TH JANUARY 1861.

THE following Bill was read a second time in the Legislative Council of India on the 12th January 1861, and was referred to a Select Committee who are to report thereon after the 18th of April next.—

*A Bill for the levy of Port-dues in the Ports of the Concan.*

WHEREAS it is necessary to fix the amount of the Port-dues to be hereafter levied and taken in accordance with the provisions of Act XXII of 1855,

in the Ports named in the Schedules to this Act, being Ports in the Concan Districts of the Presidency of Bombay; It is enacted as follows:—

I. The Ports in the Concan shall be divided

Division of Ports into groups.

for the purposes of this Act into three groups, namely, Northern, Central, and Southern.

The Northern group shall comprise the Ports named in Schedule A; the Central group shall comprise the Ports named in Schedule B;

and the Southern group shall comprise the Ports named in Schedule C.

II. Port-dues, at a rate not exceeding the rate of two annas for every ton of burden, shall be chargeable in respect of every sea-going vessel of the burden of ten tons and upwards (except Fishing Boats) which shall enter any of the said Ports.

III. When any vessel enters any of the said Ports, being driven in by stress of weather, or in consequence of having sustained any damage, or for any other reason, but does not discharge or take in any cargo or passenger therein (with the exception of such unshipment and reshipment as may be necessary for the purpose of repair), the Port-due chargeable in respect of such vessel shall be at a rate equal to one-half the rate chargeable in respect of other vessels.

IV. Provided that when any vessel having left any of the said Ports is compelled to re-enter such Port, or to enter any other of the said Ports by stress of weather, or in consequence of having sustained any damage, no Port-due shall be chargeable in respect of such vessel.

V. No vessel shall be required to pay at the same Port any Port-due chargeable under this Act oftener than once in the same calendar month, or oftener than once in thirty days.

VI. For the purposes of Section XLIV of Act XXII of 1855, the several Ports comprised in each of the Schedules A, B, and C, to this Act respectively, shall be regarded as one Port, and the sums received on account of Port-dues at the several Ports named in each of the said Schedules shall form part of and be amalgamated into separate Funds, which shall be termed respectively the Northern Concan Ports Fund, the Central Concan Ports Fund, and the Southern Concan Ports Fund.

VII. All sums received on account of Port-dues at any of the Ports comprised in each of the groups specified above shall be available for the payment of all such expenses as are described in Section XLIV of Act XXII of 1855, incurred on account of any of the Ports in the same group.

VIII. This Act shall commence and have effect from and after the 1st day of May 1861.

IX. The local Government shall, on or before the 1st day of May 1861, pursuant to Section XLIII Act XXII of 1855, declare, by Notification to be published in the Bombay Government Gazette, the rate at which Port-dues shall be levied in the said Ports subject to the provisions of and within the limits prescribed by this Act; and from and after the said date, no Port-due shall be levied at any of the said

Ports, except under the authority of Act XXII of 1855, and of this Act.

X. This Act shall be read with and taken as a part of Act XXII of 1855.

#### SCHEDULE A. NORTHERN GROUP.

1. Calace.
2. Murnolee.
3. Oomergaum.
4. Danoo River.
5. Tarapoor.
6. Satpattee.
7. Mahim.
8. Kelvey.
9. Dantewra River.
10. Bassein River.

#### SCHEDULE B. CENTRAL GROUP.

1. Ootun.
2. Munnoree.
3. Versah.
4. Bandora.
5. Tanna River.
6. Caranja River.
7. Panwell River.
8. Thull.
9. Athlag.
10. Mandvay.
11. Roylunda.
12. Thull Kharee.
13. Bankote River.

#### SCHEDULE C. SOUTHERN GROUP.

1. Kelsee.
2. Hurnoe.
3. Anjanawell River.
4. Bofia.
5. Jyghur River.
6. Rutangberry.
7. Poorunglur.
8. Eshwuntghur. River.
9. Viziadroog River.
10. Dewghur.
11. Achray.
12. Malwan.
13. Newtee.
14. Vingorla.
15. Rairee.

M. WYLLIE,  
Clerk of the Council.

THE 12TH JANUARY 1861.

THE following Bill was read a second time in the Legislative Council of India on the 12th January 1861, and was referred to a Select Committee who are to report thereon after the 10th of April next:—

*A Bill to extend the provisions of Act I of 1859 (for the amendment of the Law relating to Merchant Seamen).*

WHEREAS it is enacted by Section CCXLII of the Merchant Shipping Act of 1854, that the Board of Trade may suspend or cancel the certificate of competency

or service granted by the said Board to any Master or Mate, if, upon investigation made by any Court or Tribunal authorized or hereafter to be authorized by the Legislative Authority in any British possession to make enquiry into charges of incompetency or misconduct on the part of Masters or Mates of ships or as to shipwrecks or other casualties affecting ships, a report is made by such Court or Tribunal to the effect that he has been guilty of any gross act of misconduct, drunkenness, or tyranny, or that the loss or abandonment of, or serious damage to, any ship, or loss of life, has been caused by his wrongful act or default, and such report is confirmed by the Governor or person administering the Government of such possession:

And whereas it is enacted by Section LXXXII Act I of 1859 (*for the amendment of the Law relating to Merchant Seamen*) that the local Government may suspend or cancel the certificate, whether of competency or service, granted under that Act to any Master or Mate, if, upon any investigation made by any Court or Tribunal authorized or hereafter to be authorized by the Legislative Authority in any British possession to make enquiry into charges of incompetency or misconduct on the part of Masters or Mates of ships or as to shipwreck or other casualties affecting ships, it is reported that the loss or abandonment of, or serious damage to, any ship, or loss of life, has been caused by his wrongful act or default, or that he has been guilty of any gross act of misconduct, drunkenness, or tyranny: Provided always that, in the case of any report by any such last mentioned Court or Tribunal, the report shall have been confirmed by the Governor or person administering the Government of such possession:

And whereas it is expedient to authorize Courts or Tribunals in India to make such enquiry and report, and also to empower the Courts of ordinary Criminal jurisdiction in some cases to exercise the powers vested by Act I of 1859 in Courts having Admiralty jurisdiction in India: It is enacted as follows:—

I. Every Court having Admiralty jurisdiction in India, and the principal Court of ordinary Criminal jurisdiction at every Port in India where there is no Court having Admiralty jurisdiction, is hereby authorized to make enquiry into charges of incompetency or misconduct on the part of any Master or Mate of any ship, whether such Master or Mate shall have obtained his certificate from the Board of Trade or from any local Government, or as to shipwreck or other casualties affecting ships; and if on such enquiry it shall appear to any such Court as aforesaid that the loss or abandonment of, or any serious damage to, any ship, or loss of life, has been caused by the wrongful act or default of any such Master or Mate or that any such Master has been guilty of any gross act of misconduct, drunkenness, or tyranny, the Court shall report the same to the local Government.

II. For the purpose of such enquiry the Court may summon the Master or Mate to appear, and shall give him full opportunity of making a defence, either in person or otherwise, and shall have all the powers vested in Magistrates of summoning and examining witnesses, and may make

such order with respect to the costs of such investigation as they may deem just.

III. Nothing in this Act shall be held to affect the powers vested by Section LXXX, Act I of 1859 in Courts having Admiralty jurisdiction in India. The said powers may be exercised by the principal Court of ordinary Criminal jurisdiction at any Port in India where there is no Court having Admiralty jurisdiction.

IV. This Act shall be taken and read as part of Act I of 1859.

M. WYLIE,  
Clerk of the Council.

THE 19th JANUARY 1861.

The following Bill was read a second time in the Legislative Council of India on the 19th January 1861, and was referred to a Select Committee who are to report thereon after the 23rd of March next:—

*A Bill for extending certain provisions of Acts XIV and XXV of 1856 to the Town and Suburbs of Rangoon, and to the Towns of Moulmein, Tavoy, and Mergui, and for appointing Municipal Commissioners, and for levying rates and taxes in the said Towns*

WHEREAS it is expedient to provide for the conservancy and improvement of the Town and Suburbs of Rangoon, and the Towns of Moulmein, Tavoy, and Mergui, for the appointment of Commissioners, and for assessing and levying rates and taxes for municipal purposes in the said Towns; It is enacted as follows:—

I. The provisions of Act XIV of 1856, entitled "An Act for the conservancy and improvement of the Towns of Calcutta, Madras, and Bombay, and the several Stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca," are hereby extended to the Town and Suburbs of Rangoon, and to the Towns of Moulmein, Tavoy, and Mergui, and the word "Town" in Section II of the said Act is hereby declared to include all places within the limits of the said Town and Suburbs of Rangoon, and the said Towns of Moulmein, Tavoy, and Mergui, as those limits shall be, from time to time, determined and declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively; provided that the interpretation of the word "Owner" in Section II of the said Act shall not be in force in the said Town of Rangoon, and that the said word shall mean the registered owner of the land or premises in connection with which the word is used.

II. Act XXV of 1856, entitled "An Act to comprise in one Act the provisions necessary for the assessment and collection of Municipal-rates and taxes in the Towns of Calcutta, Madras, and Bombay, and the several Stations



of Prince of Wales' Island, Singapore, and Malacca," is incorporated with this Act; and in construing the said Act as incorporated Construction.

with this Act, the expression "the special Act" shall mean this Act, the word "Town" shall include all places within the limits of the Town and Suburbs of Rangoon, and of the Towns of Moulmein, Tavoy, and Mergui, as those limits, shall, from time to time, be determined and declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively, the expression "the Commissioners" shall mean the Municipal Commissioners appointed by this Act, and the expression "the local Government" shall mean the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively. Provided that Sections I, II, III, IV, V, VI, VII, VIII, IX, X, XI, and XII, of the said Act XXV of 1856 shall not have effect in the limits of the said Town and Suburbs of Rangoon, and that the appeals referred to in Sections XVII, XVIII, and XIX of the said Act shall, in the said Town and Suburbs of Rangoon, and in the said Towns of Moulmein, Tavoy, and Mergui, be heard and determined by two Magistrates.

III. At each of the said Towns of Rangoon, Moulmein, Tavoy, and Mergui, there shall be five Commissioners for the purposes of this Act, and for the conservancy and improvement of the said Towns, who shall be called respectively the Municipal Commissioners of Rangoon, the Municipal Commissioners of Moulmein, the Municipal Commissioners of Tavoy, and the Municipal Commissioners of Mergui, and who shall by such name be a body corporate and have perpetual succession and a common seal, and by such name shall sue and be sued.

IV. At the said Town of Rangoon the Deputy Commissioner and the Town Magistrate shall be Municipal Commissioners, and three rate-payers shall be selected and nominated as Commissioners by the Commissioner of Pegu, and shall enter upon their office on the first day of January after their nomination, and shall hold their office for one year, and be eligible for re-nomination. The Commissioner of Pegu shall nominate one of the said five Commissioners to be President of the Board of Commissioners.

V. At the said Towns of Moulmein, Tavoy, and Mergui, the Deputy Commissioner or other Chief Civil authority of the District in which the Town is situated, shall be one of the Municipal Commissioners, and four rate-payers, of whom one at least shall be an Officer of Government, shall be selected and nominated as Commissioners by the Commissioner of the Tenasserim and Martaban Provinces, and shall enter upon their office on the first day of January after their nomination, and shall hold their office for one year, and be eligible for re-nomination. The Commissioner of the Tenasserim and Martaban Provinces shall nominate one of the said Com-

missioners in each of the said Towns of Moulmein, Tavoy, and Mergui to be President of the Board of Commissioners.

VI. The Municipal Commissioners appointed under this Act shall meet once in every week at least. The attendance of three Commissioners shall be necessary to constitute a meeting. The President, or in his absence the Chairman chosen by the Commissioners present, shall have a second or casting vote on all questions on which the Commissioners present are equally divided in opinion.

VII. All Town lots as originally granted, all Assessment on dwelling houses situated on Town lots &c. in Suburban allotments and in Rangoon. yards, within the limits of the Town and Suburbs of Rangoon, as those limits shall be from time to time determined and declared by the Commissioner of Pegu, shall be liable to a monthly rate as specified in the annexed Schedule A, which rate shall be payable quarterly by the registered owner of the same. Whenever the registered owner of the lot shall fail to pay the amount of such rate on demand, the occupant or occupants of the whole or any portion of the tenement or tenements on the lot shall be jointly and severally chargeable with the same, as provided in Section XIV of the Suburban allotment rules.

VIII. Houses, buildings, and lands in the said Towns of Moulmein, Tavoy, and Mergui, shall be liable to an annual rate, to be fixed from time to time by the Commissioner of the Tenasserim and Martaban Provinces, but in no case exceeding seven and a half per centum of the annual value of the houses, buildings, and lands subject to such rate. The rate fixed by the Commissioner shall, from time to time, be publicly notified, and shall be payable quarterly by the owners of the said houses, buildings, and lands.

IX. Houses and buildings used exclusively as places of public worship, or for charitable purposes, burial grounds, hospitals, Sepoys' lines, and all buildings and lands the property of Government, shall not be liable to the rates specified in the last two preceding Sections.

X. The Municipal Commissioners in Moulmein, Tavoy, and Mergui, may exempt from assessment any house, building, or land, the annual value whereof is less than twelve Rupees, if the same be the sole rateable property of the owner.

XI. When any house or building in the Towns of Moulmein, Tavoy, and Mergui, shall have been vacant for sixty consecutive days during any year, the Municipal Commissioners shall remit so much of the rate for that year as may be proportionate to the number of days the said house or building may have remained unoccupied, provided that the owner of the said house or building, or his agent, shall have given notice in writing of the vacancy thereof to the said Commissioners, and that the amount of rate to be remitted shall be calculated from the date of the delivery of such notice.

**XII. A Tax shall be imposed upon all carriages, wagons, carts, horses, ponies, mules, and elephants, kept within the said Town and Suburbs of Rangoon and the said Towns of Moulmein, Tavoy, and Mergui, and upon all boats plying in the Port of Moulmein, at the rates specified in the annexed Schedule B, and shall be paid quarterly by the owners or parties in charge of the same.**

**Tax on vehicles and animals—**

**And on boats in the Port of Moulmein.**

**XIII. Provided that the several vehicles and animals hereinafter mentioned shall be exempt from the tax, namely:—**

1. Gun Carriages, and Ordnance and Commissariat Carts and Wagons.

2. Horses and ponies belonging to Officers doing regimental duty, at the rate of one horse or pony for each Officer.

3. Conservancy carts, horses, ponies, mules, and elephants, belonging to the Municipal Commissioners.

4. Vehicles and animals kept for sale and not used for any other purpose, if kept by *bond fide* dealers in such vehicles and animals.

5. Wagons and carts kept within estates and plantations and not used upon the public roads, having the name of the owner painted on some conspicuous part thereof in letters not less than two inches in length, and registered at the Office of the Commissioners.

6. All animals kept within estates or plantations and not used upon the public roads.

7. Ponies under eleven hands, and children's carriages, the wheels of which do not exceed twenty-four inches in diameter.

**XIV. Every person who may have owned or had charge of any vehicle or animal kept within any of the said Towns for a period exceeding thirty days in any quarter shall be liable to the whole tax for that quarter. If the period do not exceed thirty days, no tax shall be chargeable for that quarter. Provided that when any person owning or having charge of vehicle or animal shall transfer the same to another person, he shall give notice thereof to the Commissioners within one week from the date of such transfer, or, if he fail to give such notice, shall be liable to the whole tax for the quarter, although the period during which he may have owned or had charge of such vehicle or animal shall not have exceeded thirty days.**

**What will constitute liability to the tax for a whole quarter.**

**Transfer of ownership.**

**XV. When a carriage shall have been under repair at a carriage-maker's for more than thirty days in any quarter, the Commissioners shall remit so much of the tax for that quarter as may be proportionate to the number of days the said carriage may have been under repair.**

**Remission of tax on carriages under repair.**

**XVI. The Municipal Commissioners, at their discretion, may compound for any period not exceeding one year, with livery stable-keepers and other persons keeping carriages and horses for hire, for a certain sum to be paid for the carriages and horses so kept by such persons, in lieu of the taxes specified in the Schedule.**

**Commissioners may compound with livery stable-keepers and others.**

**XVII. Every carriage kept and let out for hire, and every wagon and cart kept or used within the said Suburbs or Town of Rangoon, or within any of the said Towns of Moulmein, Tavoy, or Mergui, and every boat plying for cargo or passengers in the Port of Moulmein, shall be registered in the Office of the Municipal Commissioners with the name and residence of the owner, and shall bear the number of such registration in such manner as the said Commissioners shall direct. The registration shall be made and the numbers assigned annually upon such day in each year as the Commissioners shall appoint. Any person becoming possessed within the year of any such carriage, wagon, cart, or boat, which has not been registered, may obtain registration on application to the said Commissioners at their Office. When any registered carriage, wagon, cart, or boat, is transferred within the year, it shall be registered anew in the name of the person to whom it has been transferred. A fee of four annas shall be paid for each registration.**

**Registry and numbering of hired carriages.**

**XVIII. Whoever keeps within the said Suburbs or Town of Rangoon, or within any of the said Towns of Moulmein, Tavoy, or Mergui, or within the Port of Moulmein, any such carriage, wagon, cart, or boat, required to be registered by the last preceding Section, without being so registered, shall, on conviction before a Magistrate, be liable to a fine not exceeding ten Rupees; and the Municipal Commissioners, or any Officer duly authorized by them, may seize or cause to be seized any such carriage, wagon, cart, or boat, (provided the same be not employed at the time of seizure in the conveyance of any passengers or goods,) together with the horses, bullocks, or other animals drawing the same, and may deliver them over to the Police; and all Police Officers are hereby required, on the application of the said Commissioners or other Officer as aforesaid, to seize and detain the same. If the carriage, other vehicle, or boat as aforesaid, be not claimed, or if the fine be not paid within ten days, such carriage, vehicle, or boat, together with the animals seized with it, may be sold by order of the Magistrate, and the proceeds applied to the payment of the fine, and all costs and charges incurred on account of the detention and sale, and the surplus, if any, if not claimed by the owner within a further period of twenty days, shall be paid to the Municipal Commissioners.**

**Penalty for not registering.**

**XIX. All monies received by the Municipal Commissioners by virtue of this Act, or of Act XIV of 1856, or of any other Act of the said Town and Suburbs of Rangoon, or of the said Towns of Moulmein, Tavoy, or Mergui, shall form a fund which shall be called the "Municipal Fund" of the Town at which the same shall have been so received: the Municipal Fund of each Town shall be under the direction, management, and control of the Municipal Commissioners of such Town, who shall in the first instance appropriate such sum as may be declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively to be necessary for the payment and maintenance of the Police Force in each of the said Towns, and for the payment of the Office establishments of the**

Magistrate and Commissioner of Police (but not including the salary of any such Magistrate or Commissioner), such sum to be paid at the times and in the manner which the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces may respectively direct; and shall apply the residue to the purposes of this Act, and the Incorporated Act, and of Act XIV of 1856.

XX. All fines and penalties imposed under this Act, and all fees received under the operation of this Act, and all tolls received at any public ferry within the limits of the said Town and Suburbs of Rangoon, or of the said Towns of Moulmein, Tavoy, or Mergui, or of the Port of Moulmein, shall be paid to the Municipal Commissioners of the Town at which the same shall have been imposed or received and shall be carried to the credit of the Municipal Fund of such Town.

XXI. This Act shall commence and take effect on and after the day of 1861.

#### SCHEDULE A.

	Rs.	As.	P.
1st Class lots	...	6	8 0
2nd Class lots	...	3	4 0
3rd Class lots	...	1	2 0
4th Class lots	...	0	14 0
5th Class lots	...	0	10 0

#### SCHEDULE B.

	Rs.	As.	P.
For every four-wheeled carriage on springs	...	24	0 0 a year.
For every two-wheeled carriage on springs	...	18	0 0 "
For every wagon drawn by man or beast	...	16	0 0 "
For every cart drawn by cattle	...	12	0 0 "
For every cart drawn by man	...	8	0 0 "
For every horse, pony, or mule	...	4	0 0 "
For every elephant	...	20	0 0 "
For every boat plying for passengers or cargo	...	6	0 0 "

M. WYLLIE,  
Clerk of the Council.

THE 19TH JANUARY 1861.

The following Bill was read a second time in the Legislative Council of India on the 10th January 1861, and was referred to a Select Committee who are to report thereon after the 23rd of April next:—

*A Bill to make certain amendments in the Articles of War for the Government of the Native Officers and Soldiers in Her Majesty's Indian Army.*

WHEREAS it is expedient to make certain amendments in the Articles of War provided by Act XIX of 1847, and to embody therewith the provisions of Act VI of 1860: It is hereby enacted as follows:—

I. From and after the Repeal of Act XIX of 1847 and Act VI of 1860, the Articles of War provided by Act XIX of 1847 and Act VI of 1860 are repealed.

II. The following Articles of War shall, from and after the said day, be the Articles of War for the Government of the said Native Officers and Soldiers in the Military Service of Her Majesty, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers. Provided always that all crimes and offences committed against the Articles of War provided by Acts XIX of 1847 and VI of 1860 aforesaid may be enquired of and punished in like manner as if they had been committed against the Articles of War hereby provided; and that every Warrant for holding any Court Martial under the Articles of War provided by the Acts now repealed shall remain in full force notwithstanding the repeal of such Articles; and that all proceedings of any Court Martial upon any trial begun under such Articles shall not be discontinued by the repeal of the same.

#### Articles of War.

##### SECTION I.

##### *Of Enlisting and Discharges.*

##### ARTICLE 1.

Every Recruit, prior to being enrolled in his Regiment, shall have the first four Articles of the Second Section of these Articles of War read and explained to him, and when reported fit for duty in the Ranks, any usual declaration or charge shall be made to him by the Officer Commanding, in front of the Regiment or Corps, in presence of the Native Officers and Soldiers, and the Recruit shall then, in front of the Guns or Colours, make the subjoined solemn affirmation:—

I, \_\_\_\_\_, solemnly affirm in the presence of Almighty God, that I will be faithful to Her Majesty the Queen, and will go wherever I am ordered by land or sea, and will obey all commands of the Officers set over me, and defend these Guns (or Colours) with my life.

##### ARTICLE 2.

No Commissioned Officer shall be dismissed except by the sentence of a General Court Martial. Provided that the Governor-General in Council in his executive capacity, and the Governor in Council and the Commander-in-Chief of any Presidency to which a Commissioned Officer may belong, shall have power to order his discharge. Every dismissal or discharge of a Commissioned Officer shall involve forfeiture of all claim to pension.

##### ARTICLE 3.

Non-Commissioned Officers and Soldiers shall be liable to discharge by order of the Governor-General in Council, or the Governor in Council or the Commander-in-Chief of the Presidency to which they may belong.

The Commanding Officer of every Regiment subject to these Articles of War shall have power to discharge any Native Soldier below the rank of a Non-Com-

missioned Officer, and to dismiss or reduce to the ranks any Non-Commissioned Officer belonging to such Regiments; and every such dismissal or discharge shall involve forfeiture of pension.

All Non-Commissioned Officers and Soldiers discharged the service shall be furnished by the Commanding Officer of the Regiment with a discharge Certificate, made out in the Vernacular language of the individual discharged, with an English translation, expressing the authority for, and cause of, such discharge and the period of his entire service in the Army.

Provided that no Non-Commissioned Officer shall be reduced to the Ranks for any limited period; nor suspended from his rank; nor reduced from a higher to a lower grade of Non-Commissioned Officer.

Proviso as to reduction and suspension.  
No Non-Commissioned Officer or Soldier shall enlist himself in any other Regiment without a regular discharge from his former Regiment, under the penalty of being reputed a deserter, and suffering accordingly.

## SECTION II.

### Crimes and Punishments.

*Crimes punishable with Death, Transportation, or other Punishment, by General Court Martial.*

ARTICLE 5.  
Any Officer, or Soldier, who shall begin, excite, cause, or join in any mutiny or sedition in the Regiment or Corps to which he belongs, or in any other Corps or Regiment whatsoever, on any pretence whatever; or who, being present at any mutiny or sedition, shall not use his utmost endeavours to suppress it; or who, coming to the knowledge of any mutiny, intended mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer;—or

ARTICLE 6.  
Who shall strike his Superior Officer, or shall draw or offer to draw, or lift up any weapon, or use or offer any violence, against him, whether on or off duty and under all circumstances in which his Superior Officer may be distinguishable as such in any manner;—or

ARTICLE 7.  
Who shall disobey any lawful command of his Superior Officer;—or

ARTICLE 8.  
Who shall desert from Her Majesty's Service (whether or not he shall re-enter or re-enlist in the same);—or

ARTICLE 9.  
Who, being a sentry, in time of war or alarm, shall sleep upon his post; or shall leave it before regularly relieved, or without leave; or shall plunder or injure the property placed under his charge;—or

ARTICLE 10.  
Who shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard, committed to his charge or which it was his duty to defend; or who shall use means to induce any other Officer or Soldier so to abandon or deliver up any such Garrison, Fortress, Post, or Guard;—or

ARTICLE 11.  
Who shall treacherously make known the watchword to any person not entitled to receive it according to the rules and discipline of war;—or

ARTICLE 12.  
Who shall hold correspondence with, or give intelligence to the enemy, or any person in arms against the State, either directly or indirectly; or who, coming to the knowledge of such correspondence or communication, shall not discover it immediately to the Commanding Officer;—or

ARTICLE 13.  
Who shall directly or indirectly assist or relieve the enemy, or persons in arms against the State, with money, victuals, or ammunition; or shall knowingly harbour or protect any enemy or person in arms against the State;—or

ARTICLE 14.  
Who shall treacherously release, wilfully aid, or connive at the escape of an enemy or person in arms against the State, placed as a prisoner under his charge;—or

ARTICLE 15.  
Who shall misbehave himself before the enemy or persons in arms against whom he is led, or use means to induce others so to misbehave;—or

ARTICLE 16.  
Who shall in presence of an enemy, or of persons in arms against whom he is led, shamefully cast away his arms or ammunition;—or

ARTICLE 17.  
Who shall leave his Commanding Officer, or his Post, or Colours, or Party, in time of action, to go in search of plunder;—or

ARTICLE 18.  
Who, in time of war, shall do violence to any person bringing provisions or other necessaries to the Camp or Quarters of the Force; or shall force a safe guard; or break into any house or other place for plunder; or plunder fields or gardens, or other property;—or

ARTICLE 19.  
Who, in time of war, shall, by discharging fire-arms, drawing swords, beating drums, making signals, using words, or by any means whatever, intentionally occasion false alarms in action, camp, garrison, or Quarters;—or



ARTICLE 20.

Who shall, without proper authority, release any State prisoner or through carelessness or neglect shall suffer any such prisoner to escape; or shall connive at the plunder or injury of property in time of war, or the plunder or injury of treasure, or of a Magazine or Dock Yard, by the sentry or guard in whose charge such property, or treasure, or Magazine, or Dock Yard is placed;—or

ARTICLE 21.

Who being a sentry placed over any State prisoner, or over treasure, or over a Magazine or Dock Yard, shall quit his post without being regularly relieved, or without leave; or shall sleep upon his post; or shall plunder or injure the property placed under his charge;—

Shall, if an Officer, on conviction, suffer death or transportation for life or such other punishment as by a General Court Martial shall be awarded.

And, if a Soldier, shall on conviction suffer death or transportation for life; or imprisonment, with or without hard labor, for life or for any term of years, and with or without solitary confinement, or such other punishment as by a General Court Martial shall be awarded.

*Crimes punishable by General or other Courts Martial with any Sentence which by these Articles of War any General or other Court Martial respectively is empowered to award.*

ARTICLE 22.

Any Officer who shall behave in a manner unbecoming the character of an Officer (the fact or facts whereon the charge is grounded being clearly specified therein);—or

ARTICLE 23.

Any Officer or Soldier who shall in operations in the field spread reports by words or letters calculated to create unnecessary alarm in the troops, or in the vicinity, or in rear of the Army;—or

ARTICLE 24.

Who shall, in action or previously to going into action, use words tending to create alarm or despondency;—or

ARTICLE 25.

Who shall be drunk when on or for duty or on Parade, or on the Line of march;—or

ARTICLE 26.

Who shall strike or force any sentry;—or

ARTICLE 27.

Who shall advise or persuade any other Officer or Soldier to desert, or who shall connive at such desertion; or who shall knowingly receive and entertain any deserter, and shall not immediately on discovery give notice to his Superior Officer, or shall not cause such Deserter to be apprehended by the Civil power;—or

ARTICLE 28.

Who shall obtain or attempt to obtain for himself, or for any Officer or Soldier, or for any other person whatsoever, any pension or allowance, by any false statement, certificate, or document, or by the omission of the true statement, or certificate, or document;—or

ARTICLE 29.

Who shall knowingly make a false return or report to any his Superior Officer authorized to call for a return or report of the state of the men under his command, or arms, ammunition, clothing, or other stores thereunto belonging, or of which he may have charge;—or

ARTICLE 30.

Who, at any post, or on the march, shall illegally and against the will of the parties, extort money or property of any description as fees or duties, or on any pretence whatever; or shall, without authority, exact from villagers, or others, carriage, portage, or provisions;—or

ARTICLE 31.

Who shall wantonly and intentionally defile any place dedicated to religious worship, or shall wantonly and intentionally insult the religious prejudices of other persons;—or

ARTICLE 32.

Who, being under arrest or in confinement, shall leave his arrest or confinement before he is set at liberty by competent authority;—or

ARTICLE 33.

Who shall without orders, commit any waste, or spoil, or plunder, or shall injure or destroy any property;—or

ARTICLE 34.

Who shall knowingly enlist a deserter, or connive at his enlistment;—or

ARTICLE 35.

Who, directly or indirectly, shall require or accept a bribe, present, or gratification, on the pretence of, or as a consideration for procuring leave of absence, promotion, or any other advantage or indulgence for any Officer or Soldier;—or

ARTICLE 36.

Who, being in command of any post, or on the march, on complaint made to him of any person under his command beating or otherwise ill-treating any person, or extorting from him more than he is obliged to furnish by authority, or disturbing fairs or markets, or committing any kind of riot, shall not see reparation done to the party or parties injured; or, if that be impracticable, shall not report the same to his Superior Officer;—or

ARTICLE 37.

Who, being in command of a guard, shall refuse to receive any prisoner duly committed to his charge; or shall without proper authority release any prisoner, or shall suffer, through carelessness or neglect, any prisoner to escape;—or

Those in command of guard refusing to receive prisoners, &c.

ARTICLE 38.

Who shall quit his guard, or picquet, in time of peace, without being regularly relieved or without leave;—or

Quitting guard or picquet in time of peace.

ARTICLE 39.

Who shall impede the Provost Marshal or his Assistants or any other Officer or person legally exercising authority; or refuse to assist him when requiring his aid in the execution of his duty;—or

Impeding Provost Marshal, &c.

ARTICLE 40.

Who, being on leave of absence, shall have received information from the Head Quarters of his Regiment, or from other competent authority, that his Regiment has been ordered on service, and shall not rejoin without delay;—or

Those on leave of absence neglecting to rejoin their Regiment when ordered on service.

ARTICLE 41.

Who, in the time of peace, shall, by discharging fire-arms, drawing swords, beating drums, or by any other means whatever, intentionally occasion false alarm in camp, garrison, or cantonment;—or

False alarm in camp in time of peace.

ARTICLE 42.

Who shall fail to repair, at the time fixed, to the parade, or place appointed for exercise or duty, if not prevented by sickness or some other sufficient cause;—or

Failure to attend parade, &c.

ARTICLE 43.

Who shall, without urgent necessity, or without leave of his Superior Officer, quit his company, or troop, or the parade;—or

Quitting company or parade without leave.

ARTICLE 44.

Who shall absent himself without leave; or shall, without sufficient cause, overstay the period for which leave may have been granted him;—or

Absence without leave &c.

ARTICLE 45.

Any Officer or Non-Commissioned Officer who shall strike or otherwise ill-treat any Soldier;—or

Striking or ill-treating a Soldier.

ARTICLE 46.

Any Soldier who shall be grossly insubordinate or insolent to his Superior Officer in the execution of his office;—or

Insubordination.

ARTICLE 47.

Who, being on actual service, shall refuse to assist in making field works;—or

Refusal to assist in making field works when on actual service.

ARTICLE 48.

Who shall, contrary to orders, when off duty, appear in or about camp or cantonments, or on occasion of visiting towns or bazars, carrying a sword, bludgeon, or other weapon;—or

Going armed contrary to orders.

ARTICLE 49.

Who shall sell, pawn, or designedly or through neglect lose or injure his horse, arms, clothes, accoutrements, or Regimental necessaries; or any of the above articles entrusted or belonging to any other Soldier; or who shall make away with or pawn any medal or decoration granted to him by order of Her Majesty or of the late East India Company or by order of the Government, for service in the field or for general good conduct;—or

Pawning, losing, or neglecting horse, arms, accoutrements &c.

ARTICLE 50.

Any sentry who in time of peace shall sleep upon his post; or shall leave it before regularly relieved or without leave;—or

Sentry in time of peace sleeping upon post &c.

ARTICLE 51.

Any Soldier who shall be found two miles from the camp contrary to orders;—or

Soldier found two miles from camp contrary to orders.

ARTICLE 52.

Who shall, contrary to orders, be absent from his cantonment after tattoo, or from camp after retreat beating;—or

Absence from cantonment, &c.

ARTICLE 53.

Who shall sell, lose, or designedly, or through neglect, waste the ammunition delivered out to him;—or

Selling, losing, or wasting ammunition.

Who shall, on conviction before a General or other Court Martial, be sentenced to suffer such punishment as any such Court Martial is by these Articles empowered to award.

Punishment.

ARTICLE 54.

All crimes not capital, and all disorders or neglect which Officers or Soldiers may be guilty of, to the prejudice of Good Order and Military Discipline, though not specified in these Articles, are to be taken cognizance of by Courts Martial, and to be punished according to the nature and degree of the offences, by the Sentence of a General, or District, or Garrison, or Regimental Court Martial.

Crimes not specified.

*Embezzlement; punishable by General Court Martial with Dismissal, Fine, and Imprisonment with or without hard labor, and with or without solitary confinement, of Officers and Soldiers.*

ARTICLE 55.

Any Officer or Soldier who shall embezzle or fraudulently misapply any money entrusted to him on the Public account, or for any Military purpose; or any provisions, Forage, Arms, Clothing, Ammunition, or Military Stores, of whatever kind or description, the property of Government, entrusted to his charge; or who shall wilfully spoil such property, or suffer it to be spoiled, or shall be

Embezzlement.

concerned in or connive at any such embezzlement or fraudulent misapplication :—

Shall, on conviction before a General Court Martial, be dismissed the Service, and fined to the extent of his arrears of Pay and Allowances; and be further liable to suffer Imprisonment with or without hard labor for a term which may extend to three years, and with or without Solitary Confinement.

*Disgraceful Conduct ; punishable by General or District Court Martial, with Corporal Punishment or Imprisonment with or without hard labor and solitary confinement, and in addition with Forfeiture of additional Pay and of Pension on Discharge, and Stoppages, of Non-Commissioned Officers and Soldiers.*

ARTICLE 56.

Any Soldier who shall be guilty of *Disgraceful conduct* ;—

In wilfully maiming or injuring himself, or any other Soldier at the instance of such Soldier, with intent to render himself or such Soldier unfit for the Service, or with intent to take his own life ;—or

Wilfully maiming or injuring himself or another Soldier.

In malingering, feigning, or intentionally producing disease or infirmity ; or intentionally delaying his cure ; or intentionally aggravating his disease or infirmity ;—or

Stealing or selling Government stores.

ARTICLE 58.

In purloining or selling Government Stores ;—or

ARTICLE 59.

In stealing money or goods, the property of a Soldier, or of a Military Officer, or of any Military Mess, or of any person or persons belonging to or serving with or attached to the Army ;—or

Stealing property of Soldiers and others.

ARTICLE 60.

In plundering or injuring property placed under his charge as Sentry, or in charge of his Guard, or in conniving at the plunder or injury of such property ;—or

Plundering property under his charge as sentry, &c.

ARTICLE 61.

In embezzling or fraudulently misapplying Public money entrusted to him for any Military purpose ;—or

Embezzling public money.

ARTICLE 62.

In committing any petty offence of a fraudulent or dishonest nature, to the injury of or with intent to injure the Government, or any person, Civil or Military ;—or

Fraud or dishonesty.

ARTICLE 63.

Who shall be guilty of any other *Disgraceful Conduct*, being of a cruel, indecent, or unnatural kind ;—

Cruelty, indecent, &c.

Shall, on conviction before a General or District or Garrison Court Martial, be liable to suffer such punishments as any such Courts Martial are by these Articles of War respectively empowered to award for *Disgraceful Conduct*.

Punishments.

And every such offender shall, if not dismissed the Service, further be put under Stoppages, by Sentence of the Court, not exceeding half of his monthly Pay and Allowances, until the amount be made good of any loss or damage arising out of his misconduct.

And if such offender shall be dismissed the Service, he shall further be sentenced to forfeit his arrears of Pay and Allowances due at the time of his discharge, towards making good any loss or damage arising out of his misconduct, or in such proportion as may be required to make good such loss or damage.

*Crimes incident to Courts Martial ; punishable by General or other Court Martial according to the nature and degree of the offence.*

ARTICLE 64.

Any person amenable to these Articles of War, who, when duly summoned before a Court Martial, shall not attend, or shall refuse to be sworn, or to make affirmation, or to answer any lawful question, or who shall induce any other person so to offend ;

Shall be sentenced by the same or another Court Martial, to such punishment as any Court Martial is by these Articles respectively empowered to award.

Refusal of a person amenable to Articles of War to attend Court Martial or to be sworn, &c.

ARTICLE 65.

Any person not amenable to these Articles of War, who, having been summoned before any Court Martial, shall refuse or neglect to attend ; or who, attending, shall refuse to be sworn, or to make affirmation, or to answer any lawful question ; or shall give such testimony as if given in a Criminal Court would render him guilty of perjury ; or who shall induce any other person so to offend ;

Shall be delivered to a Magistrate to be proceeded against according to Law.

Refusal of a person not amenable to Articles of War to attend Court Martial or to be sworn, &c.

ARTICLE 66.

Any person using menacing or disrespectful words, signs, or gestures, in the presence of a Court Martial then sitting, or causing any disorder or riot so as to disturb their proceedings, or being grossly insubordinate or violent in the presence of a Court Martial ;

Shall be punished according to the condition of the offender and the nature and degree of his offence, by the sentence of the same or another Court Martial, if he be amenable to these Articles of War ; and if not amenable to these Articles of War, the offender shall be delivered over to the Magistrate to be proceeded against according to Law.

Contempt of Court.

*Perjury ; punishable by General or District Court Martial with dismissal and fine or Imprisonment.*

ARTICLE 67.

Any Officer or Soldier who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any General or other Court Martial, or any Military Court entitled to administer an oath ; or of inducing any other person so to offend ;

Perjury.

Shall be dismissed the Service, and shall be further subject to Fine to the amount of his arrears of Pay and Allowances, or to Imprisonment which may extend to three years;—according to the Sentence of a General, or District, or Garrison Court Martial.

ARTICLE 68.

Whereas it may be advisable that some of the offences which by the foregoing Articles are directed to be tried by a General or District or Garrison Court Martial, should, in certain cases which admit of less serious notice, be tried by District or Garrison or Regimental Courts Martial—in such cases the Officer Commanding the Regiment or Corps to which the offender belongs may, if he thinks it expedient and for the good of the Service, order the offender to be tried by Regimental Court Martial, for any offence ordinarily cognizable by District or Garrison Court Martial; making however a report in every such case, for the information of the General Officer Commanding the Division, of the reasons of his having so proceeded; or such Commanding Officer may lay a particular statement of the case before the General or other Officer having authority to convene General or District or Garrison Courts Martial, under whose command such offender may be serving, with an application for permission to try the offender by District or Garrison or Regimental Court Martial; and such General or other Officer will exercise his discretion in complying or not with such application; but the permission of such General or other Officer so to proceed, shall be entered upon the proceedings at the trial of such offender;

Provided that Mutiny shall not be considered one of the offences admitting of such discretionary investigation.

ARTICLE 69.

For offences committed on the line of march, or on board any ship or other vessel, the Officer in the Command of the Troops is hereby authorized to try any Soldier by a Regimental or Detachment Court Martial, and to confirm and execute the sentence on the spot.

Provided that such sentence shall in no case exceed that which a Regimental Court Martial is competent to award;—and that the proceedings held in all such cases shall be transmitted for the information of the Commander-in-Chief.

SECTION III.

Administration of Justice.

ARTICLE 70.

Whenever any Officer or Soldier shall commit a crime deserving punishment, Arrest or confinement. by Court Martial, he shall, by his Commanding Officer, be put under arrest, if an Officer or Non-Commissioned Officer; or if a Soldier, be confined; until he shall be either tried by a Court Martial, or shall be lawfully discharged by a proper authority; and no Officer or Soldier who shall be put in such arrest or confinement shall continue in his confinement longer than may be actually unavoidable.

And such process of arrest or confinement, or Resistance to arrest. an attempt to effect such process, shall in no case be omitted where it may be practicable; but where resist-

ance may be made, or from other circumstances such process may be impracticable, the offender or offenders shall be liable to trial and punishment at any subsequent period, within the limitations provided in these Articles of War.

ARTICLE 71.

No person shall be liable to be tried or punished for any offence against these Articles, which shall appear to have been committed more than three years previous to the order directing the assembly of the Court Martial whereby he is to be tried unless the person accused, by reason of his absentsing himself, or some other manifest impediment, shall not have been amenable to justice within that period; in which case such person shall be liable to be tried at any time not exceeding *two years* after the impediment shall have ceased.

ARTICLE 72.

Any person amenable to these Articles of War, who may commit any offence against the same, may be tried and punished for such offence in any place within the British Territories, or elsewhere, where he may have come after the commission of the offence, in the same manner as if the offence had been committed where such trial shall take place.

ARTICLE 73.

The Commander-in-Chief at the Presidencies of Fort William, Fort St. George, and Bombay respectively for the time being, may appoint General or other Courts Martial, and confirm, and mitigate or commute, or remit the sentence of such Courts; and may issue his Warrant to any General or other Officer having the Command of a Body of Troops in the Service of Her Majesty, empowering such Officers to appoint General, or District, or Garrison Courts Martial as occasion may require, for the trial of offences committed by any of the Officers or Soldiers, or Followers in the Service of Her Majesty, not being British born subjects of Her Majesty; and to confirm and mitigate, or commute, or remit the Sentences of such Court Martial. Provided that in case of any Sentence, including Forfeiture of additional Pay or of Pension on Discharge, or of any prospective advantage, such Sentence shall not be carried into effect until confirmed by the Commander-in-Chief; and all Forfeitures of any present or prospective advantage shall be restorable by the same authority.

Composition of Courts Martial.

ARTICLE 74.

A General Court Martial shall not consist of less than *thirteen* Commissioned Officers, unless it be held out of the British Territories, where such Court Martial may consist of *seven* Commissioned Officers, if a greater number cannot be conveniently assembled. And no Sentence of a General Court Martial shall be put in execution until after a report shall have been made of the whole proceedings to the Commander-in-Chief, or to some other person duly authorized to confirm the same, and until his directions shall have been signified thereupon.



ARTICLE 75.

**Constitution of District or Garrison Court Martial.**  
A District or Garrison Court Martial shall consist of not less than seven Commissioned Officers, except in situations where that number cannot be conveniently assembled, when such Court may consist of not less than five Commissioned Officers. And such District or Garrison Court Martial may be composed of Officers of the same Regiment, and shall be assembled in conformity with the orders of the Commander-in-Chief.

And the Sentence of a District or Garrison Court Martial shall be confirmed by the Commander-in-Chief, or by some Officer duly authorized to confirm the same.

ARTICLE 76.

**Constitution of Regimental Court Martial.**  
A Regimental Court Martial shall consist of not less than five Commissioned Officers, (unless it be found impracticable to assemble that number, when three may be sufficient;) and shall be assembled by order of the Officer Commanding the Regiment. And no Sentence of a Regimental Court Martial shall be of force until the Commanding Officer shall have confirmed the same. Provided that such Commanding Officer shall have power to remit all Sentences whatever passed by such Court, and thereupon to cause the offender to be released and to return to his duty.

*Powers of Court Martial.*

ARTICLE 77.

**Death, transportation, or imprisonment.**  
A General Court Martial may sentence any Officer or Soldier to Death or Transportation, or any Soldier to Imprisonment for Life, or for any term of years, for any crimes which are by these Articles of War expressly made liable to any such Sentence, and for such crimes only. Provided that no Court Martial inferior to a General Court Martial shall have power to pass a Sentence of Death or Transportation or Imprisonment for Life.

*Punishments of Commissioned Officers.*

**Dismissal, suspension, or reduction to rank.**  
A General Court Martial may sentence a Commissioned Officer to be dismissed the Service; or to be suspended from Rank and Pay and Allowances for a stated period; or to be placed lower in the list of his Rank, by an alteration of the date of his Commission, thereby losing the corresponding benefit or length of service; and the Court shall specify the extent of such reduction: Provided that no Court Martial inferior to a General Court Martial shall have power to try a Commissioned Officer.

*Punishments of Non-Commissioned Officers and Soldiers.*

**Reduction to rank, corporal punishment, imprisonment, or solitary confinement.**  
A General or District or Garrison or Regimental Court Martial, may sentence a Non-Commissioned Officer to be reduced to the Ranks; or may sentence any Non-Commissioned Officer or Soldier to be dismissed the Service; or to be placed lower in the list of the Ranks which he holds (which shall

involve the forfeiture of the corresponding length of service), the extent of such reduction to be specified in the sentence of the Court;—or to suffer Corporal Punishment not exceeding fifty lashes;—or Imprisonment with or without hard labor;—and to be kept in Solitary Confinement for any portion or portions of such Imprisonment, not exceeding fourteen days at a time nor eighty-four days in any one year, with intervals between the periods of Solitary Confinement of not less duration than such periods of Solitary Confinement. Provided that no Soldier shall be kept in Solitary Confinement more than eighty-four days in any one year, whether by the Sentence of one or more Courts Martial, or by order of the Commanding Officer. Provided also that no Sentence of Imprisonment shall be awardable by General Court Martial for any period exceeding two years (except when otherwise expressly provided); nor by a District or Garrison Court Martial for any period exceeding one year; nor by a Regimental Court Martial for any period exceeding six calendar months; and that no Non-Commissioned Officer shall be sentenced to Imprisonment or Corporal Punishment without being first reduced to the Ranks.

*Punishment of "Disgraceful Conduct."*

**Forfeiture of pay or pension in addition to corporal punishment or imprisonment.**  
And a General or District or Garrison Court Martial may, in addition either to Corporal Punishment or to Imprisonment, sentence a Soldier convicted of *Disgraceful Conduct* to forfeiture of all advantage as to additional Pay and to Pension on discharge, which might have otherwise accrued from the length or nature of his former service; or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case. Provided that no Soldier shall be tried for *Disgraceful Conduct* by any Court Martial inferior to a District or Garrison Court Martial.

**Forfeiture and stoppages in addition to dismissal.**  
And a General or other Court Martial may, in addition to the punishment of Dismissal, sentence any Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required, to make good any loss or damage arising out of his misconduct:—And in addition to any punishment not involving Dismissal from the Service, may sentence any Officer or Soldier to be put under stoppages not exceeding two-thirds of his Pay and Allowances in the case of an Officer, and not exceeding half of his Pay and Allowances in the case of a Non-Commissioned Officer or Soldier, until the amount of such loss or damage be made good.

**Forfeiture of Pay during confinement.**  
Every Soldier subject to Confinement in the Quarter-Guard, or Defaulters' Room, or in a Solitary Cell, or in any other place appointed for Imprisonment under Military custody, shall forfeit all claim to Pay and Allowances during such Confinement, whether under the Sentence of a Court Martial or of the Commanding Officer, and shall receive subsistence only, according to the rates laid down in the Regulations.

ARTICLE 78.

Whenever Sentence shall be passed by a Court Martial on an offender already under sentence of Imprisonment, the Court may award Sentence of Imprisonment for the offence for which he is under trial, to commence at the expiration of the Imprisonment to which he shall have been so previously sentenced, although the aggregate of the terms of Imprisonment respectively may exceed the term for which Imprisonment could otherwise be awarded.

Confirmation and Commutation of Sentences.

ARTICLE 79.

In cases where a Sentence of Death shall have been awarded by a General Court Martial, the Commander-in-Chief may confirm such Sentence and cause it to be carried into effect; or may in lieu thereof order the offender, if an Officer, to be transported for Life or to be imprisoned for any term of years; and if a Soldier, to be transported for Life or to be imprisoned with or without hard labor for Life or for any term of years, and with or without Solitary Confinement.

In cases wherein a Sentence of Transportation has been awarded by a General Court Martial, the Commander-in-Chief may in lieu thereof order the offender, if an Officer, to be imprisoned for any term of years; and if a Soldier, to be imprisoned with or without hard labor and with or without Solitary Confinement for any term of years.

In lieu of a Sentence of Dismissal, in the case of an Officer, the Commander-in-Chief may order the offender to be suspended from Rank and Pay and Allowances for a certain period to be distinctly specified by the Commander-in-Chief.

Any Officer having authority to confirm the Sentence of a Court Martial, may commute a Sentence of Corporal Punishment to Dismissal from the Service, or to Imprisonment without hard labor not exceeding one year, and with or without Solitary Confinement;—or may commute a Sentence of Imprisonment with hard labor to Imprisonment without hard labor and with or without Solitary Confinement, for the same or for a less period,—or to Dismissal from the Service.

And a Non-Commissioned Officer sentenced to Corporal Punishment, or to Imprisonment with hard labor, or to Dismissal, may in lieu of any such Sentence be reduced to the Ranks, or placed lower in the list of the Rank which he holds, which shall involve the corresponding forfeiture of service.

ARTICLE 80.

The Commanding Officer for the time being of any Native Regiment may summarily try all offences against these Articles of War committed by any person subject to those Articles (not being a Commissioned Officer,) and Sentence such offender on conviction, and carry out such Sentence without confirmation or any further authority, notwithstanding any

provision to the contrary contained in the said Articles of War; provided that such Sentence shall not exceed the powers of a District or Garrison Court Martial.

A Commanding Officer holding a trial under this Article shall be deemed a Court Martial, and the word "Court Martial" in these Articles of War, so far as such Articles are applicable to persons amenable thereto, shall be deemed to include a Commanding Officer holding a trial.

The proceedings on such summary trials by a Commanding Officer shall be conducted in the presence of two or more European or Native Commissioned Officers, and shall be recorded in the English language, and the evidence shall be taken on oath or affirmation and interpreted by a competent Interpreter upon solemn affirmation; and when the Commanding Officer shall have recorded the Finding and Sentence, the proceedings shall be signed by such Commanding Officer and by the Officers in whose presence the trial was held, and shall, without delay, be forwarded to the General Officer Commanding the Division, who is hereby authorized to set aside the trial for reasons based on the merits of the case, but not of a merely technical nature; provided that every Sentence so awarded by the Commanding Officer may be carried out without waiting for its approval by the reviewing Officer.

ARTICLE 81.

An Officer Commanding any Detachment of his own Regiment may assemble Regimental Detachment Courts Martial;—and an Officer Commanding a Detachment consisting of men of different Corps may assemble Detachment or Line Courts Martial;—and all such Courts shall be constituted in the same manner as Regimental Courts Martial under the provisions of these Articles of War, and shall have the like powers.

And the provisions of these Articles of War relating to Courts Martial held in Regiments, shall be taken to apply to Courts Martial held in Detachments, in all practicable cases.

Provided that no Officer on detached Command of less than three Troops or Companies, or of Detachments numerically equal to three Troops or Companies, and not being on the line of march or on board any Ship or other Vessel, shall carry into effect any punishment awarded by a Court Martial held by his order, until the Sentence shall have been confirmed by the Officer Commanding the Regiment to which the offender belongs, or by the nearest Superior Officer holding a Command of not less than a Regiment;—(who is hereby authorized to confirm the same, in like manner as an Officer Commanding a Regiment is empowered to do;) except in detached situations beyond Sea or out of the British Territories, or when on Service in the Field, or in cases where an immediate example is necessary and reference cannot be made to such Commanding or Superior Officer without detriment to the Service; when the Officer Commanding such Detachment may exercise the powers which are vested in an Officer Commanding a Regiment.

The Commanding Officer of such Detachment; and the Commanding Officer of any European Detachment to which Native details of less strength than three Troops or Companies are attached; and Commissaries of Ordnance or other Officers in

charge of **Arsenals, Ordnance Establishments, and Camp Equipage Depôts**; may summarily try all offences against these Articles of War, committed by any person subject to these Articles (not being a Commissioned Officer), and sentence such offender on conviction, and carry out such Sentence without confirmation or any further authority, provided that such Sentence shall not exceed the powers of a Regimental Court Martial.

And such Commanding Officer or other Officer holding a trial under this Article shall be deemed a Court Martial, and the word "Court Martial" in these Articles of War, as far as such Articles are applicable to persons amenable thereto, shall be deemed to include such Commanding Officer or other Officer holding a trial.

The proceedings on such summary trial by such Commanding Officer or other Officer shall be conducted, so far as may be practicable, and shall be recorded, in the same manner as is provided in Article 78 for summary trials by Officers Commanding Regiments, and shall in like manner be signed and forwarded to the General Officer Commanding the Division within which such Detachment may be at the time, who is hereby authorized to set aside the trial for the same reasons that a General Officer Commanding a Division is authorized by Article 78 to set aside a trial by an Officer Commanding a Regiment; provided that every Sentence so awarded by the Officer Commanding such Detachment or other Officer holding a trial under this Article may be carried out without waiting for its approval by the reviewing Officer.

#### ARTICLE 82.

In cases of light offences, a Commanding Officer may, without the intervention of a Court Martial, award Punishment of Extra Drill; restriction to Barrack limits, or within the Lines of the Regiment or Camp; confinement in the Quarter Guard or Defaulters' Room, or in a Solitary Cell; removal from Staff situations or acting appointments; or may order Soldiers to be employed in piling and unpling shot, and in cleaning accoutrements of men in Hospital; but none of these descriptions of punishments shall be awardable by Sentence of a Court Martial. Provided that Soldiers in confinement shall be liable to be ordered to attend ordinary Drill.

Provided also that the Commander-in-Chief shall prescribe the periods for which offenders shall be liable to Drill or confinement or restriction to local limits, as authorized in this Article.

#### ARTICLE 83.

For any offence in breach of the authorized Rules and Regulations of any Cantonment, the Commanding Officer of the Cantonment may sentence the offender (provided he be not a European British subject or a European or Native Officer or Soldier), notwithstanding he may not be amenable to any Articles of War and not be under the Military Command of such Commanding Officer, to pay a fine not exceeding Rupees; and in default of payment of such fine and in lieu thereof to Imprisonment for any period not exceeding days; and the Officer in charge of any Jail shall give effect to such Sentence of Imprisonment, on the receipt of a Warrant under the hand of the Officer Commanding the Cantonment

requiring him so to do, and of the person of the offender.

#### ARTICLE 84.

For any offence in breach of good order, a Commanding Officer may sentence any Follower of the Corps or Detachment under his Command to Imprisonment for any period not exceeding seven days, or, if the offender be not of a degree superior to that of a menial Servant, to undergo Corporal Punishment not exceeding twelve strokes of a Rattau, or if of the above excepted superior degree, to fine not exceeding Rupees.

#### *Execution of Sentences of Court's Martial.*

#### ARTICLE 85.

In every Sentence of Death awarded by a General Court Martial, the Sentence of Death. Court shall specify that the offender shall "suffer Death by being hanged by the neck until he be dead," or "by being shot to Death," as the Court in their discretion shall deem expedient, and such Sentence, if confirmed, shall be carried into effect accordingly.

#### ARTICLE 86.

Whenever the Sentence of a General Court Martial shall adjudge Transportation, or Sentence of Death shall be commuted by competent authority to Transportation, any of the Sadder Courts shall give effect to such Sentence, on the same being certified to the Court under the authority of the Commander-in-Chief.

And whenever any Sentence of a Court Martial shall adjudge Imprisonment with hard labor, or with Solitary Confinement, or both, or whenever the Sentence of a Court Martial shall be commuted to any such Imprisonment, it shall be the duty of every Judge, Magistrate, Sheriff, or other Officer in charge of a Jail, to give effect to such Sentence, on the offender being delivered into his custody, and on being furnished with a copy of the Sentence by the Officer Commanding the Station, or Regiment, or Detachment, within which the trial is held.

#### ARTICLE 87.

Whenever any Soldier shall be sentenced to Imprisonment for life, or a Sentence of Death shall be commuted to Imprisonment for life, it shall be lawful for the Commander-in-Chief to order such offender to be Transported beyond Sea for life, and such order shall thereupon be made unless there should be special reasons inducing the Commander-in-Chief to think such Prisoner not a proper subject for Transportation.

#### ARTICLE 88.

Persons sentenced to Imprisonment by Courts Martial shall be imprisoned in any Public Prison or in any other fit place which the Commander-in-Chief shall from time to time direct.

#### ARTICLE 89.

Every Soldier sentenced to Imprisonment with hard labor, shall, previous to undergoing such punishment, be struck off the strength of the Corps from the date of confirmation of such

Sentence; and no Soldier who has undergone such punishment for any period shall be capable of being re-admitted in the Ranks, or of receiving Pension on Discharge.

ARTICLE 90

Dismissal with ignominy. Offenders sentenced to Dismissal for *Disgraceful Conduct*;

And offenders sentenced to Corporal Punishment, or to Imprisonment with hard labor for *Disgraceful Conduct*—shall, on any such Sentence being confirmed, be dismissed with ignominy.

ARTICLE 91.

In every case wherein a Fine or Forfeiture of arrears of Pay, or Stoppages, shall be adjudged by a Court Martial, any Pay or public money due to the offender, or that may become due to him, shall be available, with the sanction of the Commander-in-Chief, for the payment of the amount so adjudged.

And no Soldier sentenced to pay a Fine or to Stoppages to make good any loss or damage arising out of his misconduct, shall be continued under Forfeiture or Stoppages under any one such Sentence for any period exceeding one year; and no Soldier shall be at any one time placed under Forfeiture or Stoppages exceeding in the whole the amount of half his Pay and Allowances, nor be liable to be put under Stoppages prospectively while actually under Stoppages to the amount of half of his Pay and Allowances.

*Forms of Proceeding.*

ARTICLE 92.

Trials by Courts Martial may be carried on between the hours of six in the morning and four in the afternoon, and not otherwise, except in cases which may require an immediate example.

ARTICLE 93.

At General Courts Martial a Judge Advocate, or an European Officer of not less than ten years' service, shall be appointed to conduct the proceedings.

At all Courts Martial inferior to General, an European Officer of not less than four years' standing in the Service, (except in cases where no Officer of that standing may be available,) or the Adjutant of the Regiment, shall be appointed to conduct the proceedings.

ARTICLE 94.

An Interpreter shall be appointed to all Courts Martial; and any Interpreter or other competent person available at the Station where the Court Martial may sit shall be appointed as occasion may require by the Officer Commanding at such Station, on application from the Judge Advocate or Superintending Officer at such Court Martial. But in situations where the services of an Interpreter or other competent person are not available, the Superintending Officer at the Court Martial shall perform the duty of Interpreter.

ARTICLE 95.

At all Courts Martial the Senior Officer shall sit as President without being so appointed by Warrant. Provided that all Rissaldar Majors and Subadar Majors are to take precedence according to the dates of their Commissions, and above all Native

Officers holding the rank of Subadar or Rissaldar; and that Sirdar Bahadoors and Bahadoors shall rank only according to their respective Commissions of Rissaldar Major, Subadar Major, Rissaldar, Subadar, or Jemadar. Rissaldars and Rissaldars will take rank with Subadars, and Naib Rissaldars with Jemadars, according to the dates of their respective Commissions.

In case of the death or unavoidable absence of the President, the next Senior Member shall take the place of President, and the trial shall proceed, provided that the Court shall still consist of at least the number of Members of which such Court is directed to consist by these Articles of War.

ARTICLE 96.  
No Finding or Sentence of a Court Martial shall be revised more than once, and no evidence shall be received on such revision. For the purpose of such revision the President and all the Members shall be convened if possible. But if any of them should be unavoidably absent, the remaining Members may proceed with such revision, provided they are not fewer than the smallest number directed in these Articles respectively. When all the same Members do not meet, the circumstances are to be duly certified on the face of the proceedings.

ARTICLE 97.

All the Members of a Court Martial are to preserve order, and in giving their votes upon all matters are to begin with the youngest; and in all cases where a Sentence of Death may not be awarded, the decision shall be by the majority of Members present, provided the number of Members present be not less than that required by the preceding Articles; but in case of an equality of votes, the decision shall be in favor of the Prisoner; the President at a Court Martial shall vote with the other Members, but shall have no casting vote. Provided that in cases of an equality of votes upon other questions than the Finding and the Sentence the President shall have a casting vote.

ARTICLE 98.

No Sentence of Death shall be given against any offender by a Court Martial, unless two-thirds of the Members present concur therein, or four where the Court consist of five Members, or five where the Court consist of seven.

*Affirmations.*

ARTICLE 99.

On the assembly of a Court Martial, the Judge Advocate or Superintending European Officer shall administer to the Interpreter the following Solemn Affirmation:—

"I, A. B., solemnly affirm in the presence of Almighty God, that I will faithfully interpret and translate the proceedings of the Court, and that I will not divulge the Sentence until it shall have been published by authority; and farther, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or Court Martial, in due course of Law."

In case of the unavoidable absence of an Interpreter, the European Superintending Officer shall



Court Martial inferior to General, shall make the Solemn Affirmation prescribed for the Interpreter.

The Judge Advocate or Superintending Officer shall then cause the following Member's Affirmation. Solemn Affirmation to be made by each Member:—

"I, A. B., solemnly affirm in the presence of Almighty God, that I will duly administer justice according to the Articles of War, without partiality, favor, or affection, and, if any doubt shall arise, then, according to my conscience, the best of my understanding, and the custom of War in the like cases; and that I will not divulge the Sentence of the Court until it shall be published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or a Court Martial in due course of Law."

The following Solemn Affirmation shall then be administered by the Interpreter to the Judge Advocate or Superintending Officer:—

"I, A. B., solemnly affirm in the presence of Almighty God, that I will not upon any account whatsoever disclose or discover the vote or opinion of any particular Member of the Court Martial, unless required to give evidence thereof as a Witness by a Court of Justice or a Court Martial in due course of Law, and that I will not, unless it be necessary for the due discharge of my official duties, disclose the Sentence of the Court, until it shall be published by authority."

Provided that it shall be necessary to re-administer these Solemn Affirmations on the commencement of fresh trials before the same Court.

#### ARTICLE 100.

All persons who give evidence at a Court Martial are to be examined on Oath according to the forms of their respective religions or on Affirmation—and persons of the Hindoo or Mahomedan persuasion and other persons making Affirmation, shall make Affirmation to the following effect:—

"I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth."

And if any person making such Affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn would have amounted to perjury, every such offender shall be subject to the same punishment to which persons convicted of perjury are subject.

#### ARTICLE 101.

In all cases where persons required as Witnesses before a Court Martial, may not be amenable to Military Law, the Judge Advocate or Commanding Officer shall transmit within whose jurisdiction the Witness may reside, his summons for the attendance of such person, and the Magistrate shall cause the Witness to be duly summoned.

#### ARTICLE 102.

If any Officer or Soldier subject to these Articles of War shall have been illegally absent from his duty for the space of two months, a Regimental Court of Enquiry composed of three Commissioned Officers, of whom all may be European or all Native, or one or more may be European and one or more Native, shall

Record in the Regimental Books of absence without leave and of the declaration of a Court of Enquiry thereon, to have the same effect as a conviction for desertion.

forthwith assemble, and having received proof of the fact on Oath or Solemn Affirmation, shall declare such absence and the period thereof; and the Officer Commanding the Corps shall enter a record of such absence, and of the declaration of such Court of Enquiry thereon in the Regimental Books; and if such Officer or Soldier shall not afterwards surrender or be apprehended, such record shall have the legal effect of a conviction for desertion, except as regards the person of the offender; and if such Officer or Soldier shall surrender or be apprehended after such record shall have been so entered, such record, or copy thereof purporting to bear the signature of the Officer having the custody of the Regimental Books, shall, on the trial of such Officer or Soldier on a charge for desertion, be admissible in evidence of the facts therein recorded; and on proof of the identity of the prisoner with the Officer or Soldier therein mentioned, he may be found guilty of desertion.

#### ARTICLE 103.

If, upon the trial of any Officer or Soldier subject to these Articles of War, for desertion, it shall be proved that such Officer or Soldier has been illegally absent without leave, or has overstayed his leave, for the space of two months, such proof shall be deemed sufficient presumptive evidence of the desertion of such Officer or Soldier, and shall be sufficient to convict him of the offence of desertion, unless he shall prove that such unauthorized absence was not wilful on his part, or shall otherwise rebut the presumption of desertion arising from proof of his absence without leave.

Proof of absence without leave for two months to be sufficient presumptive evidence of desertion.

for desertion, it shall be proved that such Officer or Soldier has been illegally absent without leave, or has overstayed his leave, for the space of two months, such proof shall be deemed sufficient presumptive evidence of the desertion of such Officer or Soldier, and shall be sufficient to convict him of the offence of desertion, unless he shall prove that such unauthorized absence was not wilful on his part, or shall otherwise rebut the presumption of desertion arising from proof of his absence without leave.

#### ARTICLE 104.

Whenever any such Officer or Soldier, upon his trial for desertion or absence without leave, shall state in his defence that his unauthorized absence was not wilful or that he was detained in his Village from sickness, or advance any other sufficient excuse for his absence, or any matter sufficient to rebut any presumptive evidence of desertion, and shall refer to any European Civil or Military Officer of Government in support of his statement; or if it shall appear to the Court Martial or the Commanding Officer exercising summary jurisdiction, that the truth or falsehood of such statement may be ascertained by reference to any such Civil or Military Officer of Government, it shall be the duty of the Court or Commanding Officer to address such Civil or Military Officer on the subject, and to adjourn their proceedings for the purpose; and the statement in reply, if favorable to the Prisoner, shall be admissible in evidence, and held to have the same effect as if the statement had

Reference to Government Officer as to the truth of statement concerning cause of absence.

or advance any other sufficient excuse for his absence, or any matter sufficient to rebut any presumptive evidence of desertion, and shall refer to any European Civil or Military Officer of Government in support of his statement; or if it shall appear to the Court Martial or the Commanding Officer exercising summary jurisdiction, that the truth or falsehood of such statement may be ascertained by reference to any such Civil or Military Officer of Government, it shall be the duty of the Court or Commanding Officer to address such Civil or Military Officer on the subject, and to adjourn their proceedings for the purpose; and the statement in reply, if favorable to the Prisoner, shall be admissible in evidence, and held to have the same effect as if the statement had

been made before the Court or Commanding Officer by such Civil or Military Officer in person on Oath or Solemn Affirmation. Should any Court before which a Prisoner is being tried be dissolved, prior to the receipt of the reply to any communication made under the above instructions to any Public Functionary, a fresh Court may be ordered, and the trial shall be commenced again before such Court, or before the Commanding Officer, as may be deemed most expedient.

ARTICLE 105.

For the prompt and instant repression of all Powers and Duties irregularities and crimes which of Provost Marshals. may be committed by Troops in the Field and on the Line of March, Provost Marshals shall be appointed by the Commander-in-Chief, and their powers shall be regulated according to the established usages of War and Rules of the Service; their duties are to take charge of Prisoners confined for offences of a general description; to preserve Good Order and Discipline; to prevent breaches of both by Soldiers and Followers of the Army, and to punish on the spot, on the same day, those whom they may find in the immediate act of committing breaches of Good Order and Military Discipline: Provided that the punishment be limited to the necessity of the case, and shall accord with orders which the Provost Marshals may from time to time receive from the Commander of the Forces in the Field; and that, whatever may be the crime, the Provost Marshal or his Assistant shall see the offender commit the act for which summary punishment may be inflicted; or if the Provost Marshal or his Assistant should not see the offender actually commit the crime, but that sufficient proof can be established of the offender's guilt, a report shall be made to the Commander of the Army, in the Field, who is hereby empowered to deal with the case as he may deem most conducive to the maintenance of Good Order and Military Discipline. The duties of Provost Marshals being limited to the punishment of offenders whom they may detect in the actual commission of any crime, the General Commanding the Forces in the Field will cause them to exercise the powers entrusted to them in such manner and under such circumstances as he may consider best calculated to prevent and instantly to repress crimes injurious to the discipline of Her Majesty's Army and the Public Service.

ARTICLE 106.

At any Presidency where the Native Troops Trials by Euro- have hitherto been authorized to claim to be tried by European Courts Martial. every person amenable to these Articles of War, and who may be under orders for trial by a Court Martial, shall have the right to claim to be tried by European Officers; and should he make such claim, the Court, whether General, District, or Garrison, or Regimental, shall be composed of European Commissioned Officers, and the number of Members and the proceedings shall be governed in all respects by the provisions of these Articles.

And it shall be competent to the Governor General of India in Council by a General Order to authorize any Native Troops to claim to be tried in like manner by European Courts Martial.

Provided also that it shall be competent to the Governor General in Council, or to the Governor in Council of any Presidency, by an Order in

Council, to direct that Courts Martial may be composed of European Commissioned Officers; and whenever such Order shall be issued, the Commander-in-Chief at any Presidency shall make Regulations for convening such Courts Martial, the proceedings of which shall be regulated in every respect as directed in these Articles of War for Native Courts Martial.

SECTION IV.

*Effects of the Dead.*

ARTICLE 107.

When any Officer or Soldier, or any person receiving Public Pay drawn by an Officer in charge of a Public Department belonging to the Army, may die, or be killed in the Service, the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, shall, if no Heir or Executor be present, secure his Effects, and direct an Inventory thereof to be taken, a duplicate of which is to be lodged in the Office of the Adjutant, or Officer in charge of the Department.

ARTICLE 108.

If there be no Heir or Executor on the spot, Sale of effects. the effects are to be publicly sold; the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, after discharging the debts of the deceased, namely, the expense of Funeral Ceremonies, his Debts in Camp or Quarters, and Regimental Debts of every description, shall account for the residue to the Heir or Heirs declared by Will, whether written or verbal, or nominated in the Regimental Register, or in failure of such to the legal representative of the deceased; and in the event of no Executor, Heir, or other representative of the deceased attending and establishing his claim within twelve months from the date of the casualty, the amount in the hands of the Officer having charge of the Estate is to be remitted to the General Treasury at the Presidency.

SECTION V.

*Miscellaneous.*

ARTICLE 109.

The Effects of Deserters are to be publicly sold, and the proceeds, after payment of Regimental Debts, remitted by the Officer Commanding the Corps to which the Deserter belongs, to the General Treasury at the Presidency, or appropriated according to the rules obtaining at such Presidency.

ARTICLE 110.

All powers and provisions contained in these Articles relating to the Commander-in-Chief shall be construed to extend to the Commander-in-Chief at any Presidency, and to the Officer Commanding the Forces for the time being at any Presidency, unless when otherwise provided.

All powers and provisions contained in these Articles relating to Soldiers, shall be construed

to extend to Non-Commissioned Officers, unless when otherwise provided.

ARTICLE 111.

When any portion of the Troops belonging to one Presidency, shall be serving within the limits of another Presidency, such Troops shall be considered as placed, during such service, under the orders and authority of the Commander-in-Chief or Commanding Officer of the Forces of the Presidency within which they are serving, for all the purposes of these Articles of War, in the same manner as though they belonged to such Presidency; and all the provisions of these Articles of War, which relate to the trial and punishment of offenders belonging to the Presidency within which the trial is held, are hereby declared applicable to the trial and punishment of offenders amenable to these Articles of War serving within such Presidency. Provided always that it shall be lawful for the Governor General in Council in his executive capacity, to direct that the Troops, or any part thereof, of any Presidency, whilst serving without the limits of such Presidency, shall continue under the orders and authority of the Commander-in-Chief, or Commanding Officer of the Forces of the Presidency to which they belong for all purposes of these Articles.

ARTICLE 112.

Any Officer Commanding any portion of Her Majesty's Troops which may at any time be serving in any place out of Her Majesty's Dominions, or of the Possessions or Territories which are or may be under the Government of India, or of the Territories of those States in alliance with the said Government in which Her Majesty's Forces are permanently stationed, shall, upon complaint made to him of any offence committed against the property or person of any inhabitant or resident in any such Countries, by any person serving with, or belonging to, Her Majesty's Army, being under the immediate Command of any such Officer, summon and cause to assemble a General Court Martial, which shall consist of not less than three Officers, for the purpose of trying any such person, notwithstanding any such Officer shall not have received any War-rant empowering him to assemble Courts Martial; and every such Court Martial shall have the same powers in regard to summoning and examining Witnesses, trial of, and Sentence upon any such offenders as are granted by these Articles to General Courts Martial; provided that no Sentence of any such Court Martial shall be executed until the General Commanding-in-Chief the Army to which the Division, Brigade, Detachment, or Party to which any person so tried, convicted, and adjudged to suffer punishment shall belong, shall have approved and confirmed the same; except where such Sentence shall not exceed the powers granted by these Articles to a District or Garrison Court Martial, in which case the Officer by whom the Court is convened is hereby authorized to confirm or commute, or mitigate or remit the same; reporting the proceedings to the said General-Commanding-in-Chief.

ARTICLE 113.

No person, being acquitted or convicted before a Court Martial of any offence, shall be liable to be tried a second time by the same or any other Court Martial for the

No person to be tried a second time for the same offence.

same offence. Provided always that when any person subject to these Articles of War shall have been found guilty by a Court Martial of any Military offence, such Court Martial shall inquire into and receive evidence of any previous conviction of such person before a Court Martial or a Court of Justice, and shall enquire into the general character of such person being a Soldier, for the purpose of affixing the punishment to which he is liable to be sentenced for the offence of which he has been so found guilty.

Provided that no such evidence shall in any case be received until the Court shall have ascertained that such person had previously to his trial received notice of the intention to produce such evidence on the same. And it is hereby directed that such notice shall be given to all persons previous to trial.

ARTICLE 114.

Any Officer or Soldier, thinking himself wronged by his Superior or other Officer, is to complain thereof to the Commanding Officer of his Troop or Company, by whom if the grievance be not redressed, such Officer, Non-Commissioned Officer, or Soldier, may complain to the Commanding Officer of his Regiment, who is hereby required to examine into such complaint, or remit it to his superior authority as the circumstances may require; but if the complaint should appear to be frivolous or groundless, the party preferring it shall be liable to be punished according to the Sentence of a General or other Court Martial; provided that such offender shall not be liable to be sentenced to Dismissal nor to suffer Corporal Punishment or Imprisonment with hard labor.

ARTICLE 115.

Any Officer or Soldier, who shall be taken Prisoner by the Enemy, shall forfeit all claim to Pay and Allowances during the period of his remaining a Prisoner and until he shall again return to the Service; when, if he can establish, before a Court Martial, that he was unavoidably taken Prisoner in the course of service, and resisted as long as he was able, and that he hath not served with or assisted the Enemy, and that he hath returned as soon as possible to the Service, he shall be entitled to receive either the whole or such portion of his arrears of Pay and Allowances as the Government of the Presidency to which he may belong shall determine, after the Opinion or Finding of such Court Martial shall have been confirmed by the Commander-in-Chief. And every Officer or Soldier in imprisonment under the Sentence of a Court Martial, or a commuted Sentence, or under the Sentence of a Court of Criminal Judicature, shall, during the term of such Imprisonment, receive subsistence only, to the amount of his pay proper, according to the rates of pay granted to Officers and Soldiers of the Bengal Army.

ARTICLE 116.

In every case in which an offender subject to the provisions of these Articles of War has been sentenced, either by a Court Martial or by a Special Commissioner, to Transportation for any term less than for the term of his Life, for an offence punishable

Sentences of transportation for a term of years, passed for offences punishable with Transportation for Life, rendered valid.

under the said Articles with Transportation for Life, such Sentence, to the extent of the punishment awarded thereby, shall be deemed as valid and effectual for all purposes as if the offender had been sentenced to Transportation for Life.

ARTICLE 117.

In every case in which an offender subject to these Articles of War has been sentenced by any Court Martial or by a Special Commissioner, to imprisonment with hard labor, for an offence for which by the said Articles of War he might have been lawfully punished with simple Imprisonment, such Sentence shall be deemed valid for all purposes, notwithstanding the Court by which the Sentence was passed may have exceeded its jurisdiction; and all persons are hereby indemnified for any thing done in pursuance of such Sentence.

ARTICLE 118.

In any case in which an offender subject to these Articles of War may have been sentenced to punishment by any Officer Commanding a Regiment exercising Magisterial powers, such Sentence shall be deemed valid, and shall be carried into effect notwithstanding that such Sentence was passed by such Officer in any part of the British Territories where he was not authorized to exercise such Magisterial Powers. Provided that such Sentence be such as would have ordinarily been within the jurisdiction of such Officer if passed within the Territories within which he was authorized to exercise such powers.

SECTION VI.

*Mode of dealing with Offences not Military.*

ARTICLE 119.

In all places within the jurisdiction of any Civil Judicature established by appointment of Her Majesty or of the Government in India, Officers and Soldiers accused of capital crimes, or of violence, or of offences against person and property, punishable by such Civil Judicature, shall be delivered over to a Magistrate to be proceeded against according to Law.

And all Officers and Soldiers are hereby required to assist the Officers of Justice in apprehending and securing any person so accused.

ARTICLE 120.

In any place, whether in or out of the British Territories, where there may be no Civil Judicature appointed by Her Majesty for the trial of persons accused of offences ordinarily cognizable by Civil Tribunals, such offences when committed by Officers or Soldiers shall be cognizable by Courts Martial.

ARTICLE 121.

General Courts Martial shall have cognizance of offences ordinarily of offences punishable with Death, by General Courts Martial.

Transportation for Life,  
Imprisonment for Life,

Imprisonment for a period which may extend to fourteen years,

Imprisonment for a period which may extend to seven years.

ARTICLE 122.

District or Garrison Courts Martial shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period which may extend to three years, and, by special orders, of offences ordinarily cognizable by General Courts Martial not liable to the punishment of Death or Transportation, with power to sentence persons convicted of such offences to Imprisonment for any period not exceeding three years.

ARTICLE 123.

Regimental, Detachment, or Line Courts Martial, shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period not exceeding six calendar months, and, by special order, of offences ordinarily cognizable by District or Garrison Courts Martial, with power to sentence persons convicted of such offences to Imprisonment for a period not exceeding six calendar months.

*General Courts Martial.*

ARTICLE 124.

Any Officer or Soldier who shall be convicted by a General Court Martial of the crime of "Murder," shall be sentenced to suffer death by being hanged by the neck until he be dead, or to transportation for life.

If any injury intended against one person shall, through mistake or accident, light upon another person, and kill him, such killing shall be deemed to be Murder, whensoever it would have been Murder had the person against whom such injury was intended been killed.

Whensoever death shall result from any injury wilfully caused by an offender, but without his intending such injury to light on any person in particular, such offender shall be guilty of Murder, if the offence would have been Murder had he intended to do the injury to the person killed.

ARTICLE 125.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences hereinafter mentioned, accompanied with an attempt to commit Murder, or with wounding or other corporal injury to any person endangering the life of such person; that is to say,—

1st. Breaking or attempting to break, by day or night, into any Dwelling-house, Tent, Boat, or other habitation, or into any building or place used for the preservation of property, with the intent to rob or steal;

2nd. Robbery or attempt to rob;

3rd. Stealing or attempting to steal in a House, or from the person—

Shall be sentenced by such General Court Martial to Imprisonment with or without hard labor and Transportation for Life.



*Offences punishable by Imprisonment which may extend to fourteen years.*

ARTICLE 126.

Any Officer or Soldier who shall be convicted by a General Court Martial of any offences specified in the last Article accompanied with wounding or other corporal injury to any person not endangering the life of such person;—or

ARTICLE 127.

Of wounding, or otherwise, by any means whatsoever, causing any corporal injury to any person with intent to murder, whether the person wounded or otherwise injured be the person whom the offender intended to murder, or another; or of attempting to commit murder by any means whatsoever;—or

ARTICLE 128.

Of robbery by open violence, or Dacoity, that is to say, going forth in the day or in the night with an offensive weapon, or in a gang with or without an offensive weapon, with the intention of committing Robbery, and by force or intimidation robbing or attempting to rob any person in any place, or attacking by open violence any house, or place of habitation, or any place in which property may be kept, for the purpose of Robbery;—or

ARTICLE 129.

Of breaking, or attempting to break into any Dwelling-house, Tent, Boat, or other place of habitation, between sunset and sunrise, with intent to rob or steal;—or

ARTICLE 130.

Of breaking into any such place of habitation, or into any place used for the preservation of property, and stealing therefrom property the value of which shall exceed one hundred Company's Rupees;—or

ARTICLE 131.

Of purchasing or receiving plundered or stolen property, knowing it to have been obtained by Robbery, by open violence, or by Theft or Robbery aggravated as described in Article 123 or Article 124;—or

Shall be sentenced by such General Court Martial to Imprisonment with or without hard labor for a period not exceeding fourteen years.

*Offences punishable by Imprisonment not exceeding seven years.*

ARTICLE 132.

Any Officer or Soldier who shall be convicted by a General Court Martial of culpable Homicide not amounting to wilful Murder;—or

ARTICLE 133.

Of premeditated affray, attended with Homicide or severe wounding or other aggravating circumstance;—or

Premeditated affray, attended with Homicide.

ARTICLE 134.

Of intentionally wounding, maiming, or otherwise doing corporal injury to any person;—or

ARTICLE 135.

Of accidentally wounding, maiming, or otherwise doing corporal injury to any person with the intention of doing such injury to another person;—or

ARTICLE 136.

Of breaking into any Dwelling-house, Tent, Boat, or other place of habitation, or into any place used for the preservation of property, between sunrise and sunset, with intent to steal therein;—or

ARTICLE 137.

Of stealing from any habitation, or from any person, any property exceeding three hundred Company's Rupees in value;—or

ARTICLE 138.

Of having purchased or received any property so stolen, exceeding in value three hundred Company's Rupees, knowing it to have been stolen;—or

ARTICLE 139.

Of Arson;—or

ARTICLE 140.

Of an unnatural crime;—or

ARTICLE 141.

Of Rape;—or

ARTICLE 142.

Of enticing and taking away, or of causing to be enticed or taken away for any unlawful purpose, any unmarried woman under the age of fifteen years;—or

ARTICLE 143.

Of stealing a child under the age of eight years;—or

ARTICLE 144.

Of counterfeiting, or causing or procuring the fraudulent fabrication or alteration of any written Deed, or printed Paper of any description; or any counterfeit seal or signature thereto; or the illicit imitation of any public stamp or stamped paper established by Government; or of fraudulently issuing and publishing as true, or of fraudulently giving effect to fabricated deeds and papers, knowing them to be forgeries; or of using, selling, or disposing of such stamped paper, knowing the same to be counterfeit;—or

ARTICLE 145.

Of forging or procuring to be forged any counterfeit Coin, in imitation of any of the Gold, Silver, or Copper Coin of the British Government of India; or of any Coin usually received as money in the British Territories; or of clipping, filing, drilling, or defacing any such Coin; or of paying or tendering in payment counterfeit Coin, Bank Notes, or other Securities for money knowing the same to be counterfeit,

although such Notes or Securities shall be incomplete ;—

Shall be sentenced by such General Court Martial to suffer Imprisonment with or without hard labor for any period not exceeding seven years.

*District or Garrison Courts Martial.*

ARTICLE 146.

It shall be competent to the Commander-in-Chief, and to any Officer having authority to convene District or Garrison Courts Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which the punishment of Death, or Imprisonment, or Transportation for Life is not provided therein, to be tried for such offences before a District or Garrison Court Martial, and such Court shall have power, on conviction, to sentence any such offender to Imprisonment with or without hard labor for any period not exceeding three years.

Powers of District or Garrison Courts Martial.

ARTICLE 147.

Any Officer or Soldier who shall be convicted by a General, District, or Garrison Court Martial, of stealing from any habitation, or from the person, any property of value not exceeding three hundred Company's Rupees, but exceeding fifty Company's Rupees ;—or

ARTICLE 148.

Of having purchased or received any stolen property of value not exceeding three hundred Company's Rupees knowing it to have been stolen, but not under aggravating circumstances ;—or

Buying or receiving stolen property not exceeding 300 Rupees in value.

ARTICLE 149.

Of dishonestly having stolen property in his possession and of having dishonestly kept possession of such property after becoming aware of its having been stolen ;—

Dishonestly having stolen property in possession.

Shall be sentenced by such Court to suffer Imprisonment with or without hard labor for any period not exceeding three years.

Punishable with imprisonment not exceeding three years.

*Regimental, Detachment, or Line Courts Martial.*

ARTICLE 150.

It shall be competent to any Officer having authority to convene a Court Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which no punishment exceeding Imprisonment with hard labor for three years is therein provided, to be tried before Regimental, or Detachment, or Line Courts Martial, and any such Court shall have power, on conviction, to sentence any such offender to suffer Imprisonment with or without hard labor for any period not exceeding six calendar months.

Offences punishable by Imprisonment not exceeding six months.

ARTICLE 151.

Any Officer or Soldier who shall be convicted of stealing property to the value of fifty Company's Rupees, or of less value ;—or

Stealing property not exceeding 50 Rupees in value.

ARTICLE 152.

Of Assault or Affray, unattended with Homicide, severe wounding, or aggravating circumstances ;—

Simple assault or affray.

Shall be sentenced to suffer Imprisonment with or without hard labor for any period not exceeding one year, by the award of a General, or District, or Garrison Court Martial ; or for any period not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

Punishable with imprisonment not exceeding one year if awarded by General, District, or Garrison Court Martial, or not exceeding six months if awarded by a Regimental, Detachment, or Line Court Martial.

*Offences punishable by Imprisonment from six months to two years, according to the description of the Court.*

ARTICLE 153.

Any Officer or Soldier who shall be convicted of resisting the process of a Magistrate or Police Officer ;—or

Resisting process of a Magistrate or Police Officer.

ARTICLE 154.

Of having committed any offence against person or property for which provision is not already made in the preceding Articles of War ;—

Committing any offence not already provided for.

Shall be sentenced to suffer Imprisonment for any period not exceeding two years by the award of a General Court Martial, not exceeding one year by the award of a District or Garrison Court Martial, and not exceeding six calendar months by the award of a Regimental, or Detachment, or Line Court Martial.

Punishable with imprisonment not exceeding two years if awarded by General Court Martial, not exceeding one year if by District or Garrison Court Martial, and not exceeding six months if by a Regimental, Detachment, or Line Court Martial.

ARTICLE 155.

Any Officer or Soldier who shall be convicted by a General, or District, or Garrison, or Regimental Court Martial, of having been present, aiding and abetting, or of having caused, instigated, or procured, the commission of any of the offences specified in any of the preceding Articles, shall be sentenced by such Court to the punishment therein provided for such offence, and awardable by General, or District, or Garrison, or Regimental Courts Martial, respectively.

Offence of aiding and abetting.

ARTICLE 156.

No Sentence of Death shall be carried into effect until confirmed by the Commander-in-Chief, or, if the trial shall have been held within the British Territories forming part of either of the Presiden-

Sentence of Death.

cies of Fort William, Fort St. George, and Bombay, respectively, until such confirmation shall have been concurred in by the Government of the Presidency where such trial shall have been held.

ARTICLE 157.

The Commander-in-Chief is authorized at his discretion to confirm any Sentence of Death or to remit such Sentence, or to commute it into Imprisonment with hard labor and Transportation for Life, or into Imprisonment with hard labor for any term of years.

ARTICLE 158.

No Sentence of Transportation shall be carried into effect until confirmed by the Commander-in-Chief, and the Commander-in-Chief is authorized at his discretion to confirm any such Sentence, or to commute it into Imprisonment with or without hard labor for any period of time.

ARTICLE 159.

It shall be competent to any Officer having authority to confirm the Sentence of a General or other Court Martial, to remit any Sentence passed by such Court Martial, or to mitigate such Sentence by substituting simple Imprisonment for Imprisonment with hard labor, or by reducing the period of Imprisonment, or by directing the discharge of the offender in lieu of any Imprisonment.

ARTICLE 160.

A person who may have been tried for any offence by a Court Martial under the authority of these Articles of War, shall not be tried for the same in any other Court whatsoever, and no person who shall have been acquitted or convicted of any offence by a Court of Civil Judicature shall be punished by a Court Martial for the same, otherwise than by C cashiering or Dismissal from the Service.

ARTICLE 161.

The Regulations at present in force at any Presidency, by which the office and powers of Commissariat Officers, or Officers in charge of the Police, or Superintendents of Bazaars, are defined and controlled; or by which Pun chayets are constituted and guided; or by which jurisdiction is given to Courts Martial over offences committed by persons amenable to the Articles of War, within certain limits beyond or around Cantonments; are hereby declared to be in full force, and the same shall continue to be observed at the several Presidencies respectively.

SECTION VII.

*Application of the Articles.*

ARTICLE 162.

All Officers and Soldiers, all Drivers, Farriers, Trumpeters, and Drummers; all unattested Recruits, Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers; all Artificers and Laborers, Sutlers, Followers, public and private, or others attached to or serving with

any part of the Army, are to be governed by these Articles and subject to trial by Courts Martial.

Provided that all such Drivers, Farriers, Trumpeters, Drummers, Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers, hereafter enlisted, shall be attested according to the Regulations of the Presidency to which they belong.

Provided also that persons of European descent (whether on the side of their father or mother) professing the Christian religion, if belonging to the descriptions mentioned in this Article (and not being Her Majesty's natural born subjects born in Europe, or the Children of such subjects,) shall be tried for Military offences by Courts Martial composed of European Officers only, and punished according to these Articles of War; but for Criminal or Non-Military offences such persons shall not be amenable to these Articles of War, but shall be tried and punished in the same manner as persons are who are subject to the Mutiny Act and Articles of War in force for the better government of the European Officers and Soldiers of Her Majesty's Indian Forces.

ARTICLE 163.

These Articles are to be translated into the several Languages of the different Presidencies; and the parts following, namely the Second Section, together with the following Articles in other Sections, namely 2, 3, 4, 76, 105, 106, 112, are to be read once every three months at the Head of every Regiment, Troop, or Company mustered in the Service, and to every Recruit at the period of his Attestation.

M. WYLLIE,

*Clerk of the Council.*

HOME DEPARTMENT.

No. 157.

*Fort William, the 22nd January 1861.*

*Notification.*—Under the provisions of Section 5, Act XXXVI. of 1860, the President in Council hereby directs that, after the 28th day of February next, it shall not be lawful to use a Postage Stamp of the value of half an anna on any Receipt, Draft, or Order for which a half-anna Stamp is required by the said Act.

No. 158.

ORDERS BY THE RIGHT HON'BLE THE SECRETARY OF STATE, DATED THE 8TH DECEMBER 1860.

*Notification.*—The under-mentioned Covenanted and Uncovenanted Civil Servants have been permitted to return to their duty, viz:—

*Covenanted.*

Hon'ble H. B. Devereux.

*Uncovenanted.*

Mr. F. C. Sandes.



**MILITARY DEPARTMENT.**

**GENERAL ORDERS BY HIS EXCELLENCY THE GOVERNOR GENERAL OF INDIA.**

*Camp Jubbulpore, the 11th January 1861.*

No. 8A. of 1861.—His Excellency the Governor General is pleased to permit Lieutenant William George Grove, of the 82nd Regiment Madras Native Infantry, to resign his appointment of Officiating Second in Command of the 3rd Regiment Nagpore Irregular Force, from the date on which he quitted Chandah. Lieutenant Grove is placed at the disposal of the Government of Fort St. George.

*Camp Jubbulpore, the 15th January 1861.*

No. 10A. of 1861.—Inconvenience having been found to arise from the application to Officers of the Engineer Establishment of the different tests for Examination in the Languages laid down in Government General Order of the 9th January 1857, His Excellency the Governor General is pleased to notify that the General Order in question does not apply to Officers employed under the Public Works Department, the tests of which will remain as laid down in the Code, or amended from time to time by the Government of India in the Department of Public Works.

R. J. H. BIRCH, Major-Genl.,  
Secy. to the Govt. of India,  
with the Govr. Genl.

**MILITARY DEPARTMENT.**

*Port William, the 21st January 1861.*

No. 58 of 1861.—Lieutenant George Allgood, of the 49th Regiment Native Infantry, Deputy Assistant Quarter-Master General of the Army, First Class, is permitted to proceed to Europe on private affairs, under the new Regulations, for the residue of the Furlough on the same account, granted to him in Government General Order No. 310, of the 24th February 1857.

*Port William, the 22nd January 1861.*

No. 59 of 1861.—The following promotions are made:—

CORPS.	RANK AND NAME.	TO WHAT RANK PROMOTED.	FROM WHAT DATE.	IN WHOSE ROOM.
Infantry	Major Frederick Maitland	Lieutenant-Colonel		
	Captain Mortimer John Slater	Major by Brevet		
4th European Regiment	Lieutenant James Edmund Bacon Parsons	Captain by Brevet	8th Dec. 1860	Lieutenant-Colonel and Brevet Colonel D. Newton, deceased.
	Ensign John Fianth			

\* Under the operation of Government General Order No. 217, of the 7th October 1858.

No. 60 of 1861.—The under-mentioned War-rant Officer has reported his return from England:—

*Date of arrival at Port William.*

Conductor W. Skeaf, of the Ordnance Commissariat Department } 9th January 1861.

No. 61 of 1861.—The under-mentioned Officers have reported their return from England:—

*Date of Arrival at Port William.*

Second Captain and Brevet } 29th December 1860.  
Major P. Stewart, of Engineers.

*Date of Arrival at Bombay.*

Lieutenant F. A. Dickins, 31st Light Infantry, Commandant, District Military Police Battalion, Saugor, on leave for fifteen months from the 24th October 1859 } 10th January 1861.

F. D. ATKINSON, Major,  
Offg. Secy. to the Govt. of India.

**PUBLIC WORKS DEPARTMENT.**

**GENERAL.—ESTABLISHMENTS.**

No. 15.

*Port William, the 22nd January 1861.*

Appointment.—The appointment by the Hon'ble the Lieutenant-Governor of the Punjab of Mr. G. Blagdon as a Probationary Assistant Overseer in the Public Works Department, under the operation of the Circular of the 6th August 1859, is confirmed.

No. 16.

Transfers.—Mr. D. Derry, Assistant Engineer, Second Class, is transferred from the Bhaugulpoor to the Dinagepoor Division of Public Works.

No. 17.

Mr. V. Righy, Assistant Engineer of the Second Class, is transferred from the Third or Saugor Circle of the North-Western Provinces to the Punjab, with effect from the 31st August last.

Posting.—The Order\* by the Lieutenant-Governor of the Punjab, posting Mr. V. Righy, Assistant Engineer, Second Class, to the 1st Division Lahore and Peshawar Road, from the 15th December 1860, the date on which he reported his arrival at Lahore, is confirmed.

A. G. GOODWYN, Major,  
Offg. Secy. to the Govt. of India.

**ORDERS by the LIEUTENANT-GOVERNOR of BENGAL.**

No. 114B.

APPOINTMENTS.—The 17th January 1861.—Baboo Shamachurn Chatterjee to be a Member of the Dispensary Committee at Tunlook.

Mr. R. DeCourcy to be an Assessor and Deputy Collector, under Act XXXII. of 1860, in Purneah. This cancels the appointment of Mr. H. Cave, Junior, notified in the Gazette of the 17th November last.



*The 21st January 1861.*—Mr. E. T. Lingham, Deputy Magistrate and Deputy Collector of Hooghly, is transferred to Howrah, where he will exercise the full powers of a Magistrate.

**NOTIFICATIONS.**—*The 18th January 1861.*—Mr. G. Bright, Collector of the 24 Pergunnahs, having returned to the Presidency and assumed charge of his Office on the 14th instant, the unexpired portion of the leave granted to him by the Secretary of State on the 9th October last is cancelled.

The Office of Commissioner of Sumbulpore is abolished, and the District of Sumbulpore, with the Tributary Mehals surrounding it, as noted on the margin, is transferred from the jurisdiction of the Commissioner of Chota Nagpore to the jurisdiction of the Commissioner of Cuttack, and the Officer in charge will

Bamrah.	
Behra Khola.	
Bonmpura.	
Patna.	
Khuvair.	
Binda Nowagurh.	
Bara Sumbur.	
Phooljhar.	
Sarungurh.	
Ragurh.	
Buktee.	

in future be styled Principal Assistant to the Commissioner, and will exercise the same authority as Officers of a similar title in Chota Nagpore.

W. S. SETON-KARR,  
Offg. Secy. to the Govt. of Bengal.

## ORDERS by the LIEUTENANT-GOVERNOR, N. W. Provinces.

### JUDICIAL DEPARTMENT.

No. 6A.

*Camp Meerut-Ki-Seraj, the 3rd January 1861.*

Leave of absence on Medical Certificate, until the 31st January 1861, is granted to Assistant Surgeon G. B. Hadow, Civil Assistant Surgeon of Moradabad, in addition to the leave for two months granted to that Officer in Orders of the 25th November last, No. 2972A.

No. 24A.

*Camp Cawnpore, the 8th January 1861.*

Assistant Surgeon James M. Cunningham, M. D., whose services have been placed at the disposal of this Government, is appointed to be Superintendent of the Bareilly Central Prison.

### REVENUE DEPARTMENT.

No. 36A.

*Camp Cawnpore, the 9th January 1861.*

*Erratum.*—In paragraph 12 of the Rules regarding the grant of waste lands, published by Notification No. 1340A., dated 29th September 1860, in the *Government Gazette* of the 13th November following, for 10  $\frac{1}{2}$  acres read 10 acres, and for 20 acres read 25 acres.

### GENERAL DEPARTMENT.

No. 1A.

*Camp Goorshaigunge, the 2nd January 1861.*

On the recommendation of the Deputy Inspector-General of Hospitals in the Cawnpore Circle, His Honor the Lieutenant-Governor is pleased to confirm the following appointment:—

Third Class Native Doctor Ahmed Beg to the Branch Dispensary at Putehgarh, with effect from the 1st November 1860.

No. 14A.

*Camp Urroul, the 4th January 1861.*

Leave of absence on Medical Certificate for nine months, under Section V. of the Uncovenanted Rules, is granted to Dr. W. Anderson, L. L. D., Principal of the Government College at Agra, to visit England, from the date on which he may avail himself of the same.

No. 16A.

Mr. Charles Pearson, M. A., Professor of English Literature and of History in the Government College at Agra, is appointed to officiate as Principal of that Institution during the absence of Dr. Anderson on leave, or until further orders.

No. 17A.

Mr. J. F. Goulding, Second Master of the Agra College, is appointed to officiate as Professor of English Literature and of History in that Institution, until further orders.

No. 23A.

Leave of absence for one month on private affairs is granted to the Reverend C. A. L. Whyte, Chaplain of Banda, Nagode, and Newgong, from the date on which he may avail himself of the same.

No. 35A.

*Camp Poorah, the 5th January 1861.*

The following "Directions for using the Liquor of Ammonia in the treatment of Snake bites" and certain "Rules to be observed in the treatment of Snake bites" have been received from the Government of India, and are published for general information:—

#### *Directions for using Liquor of Ammonia in the treatment of Snake bites.*

1. Thirty or forty drops should at once be given, mixed with two ounces (equal to a wine-glass full or Chittuck) of water, and this should be repeated at intervals of ten or fifteen minutes, till all symptoms of the poison disappear, and till consciousness be restored. The above is the dose for an adult, or full grown person.

2. Administered to young people the dose should be as follows:—

For those aged from 12 to 15 years, twenty to twenty-five drops in each dose.

For those aged from 8 to 12 years, fifteen to twenty drops in each dose.

For those aged from 4 to 8 years, ten to fifteen drops in each dose; and for infants under 4 years, from three up to ten drops in each dose, according to period of life, and in each case the dose must be given mixed with a quantity of water.

3. The mode of employment in every case is the same as that above described, *viz.*, a dose at intervals of ten or fifteen minutes, till the symptoms of collapse subside, and sensibility and warmth of surface be restored, the greatest care being always taken to mix a sufficiency of water with each dose, so as to enable it to be swallowed without pain, the quantity varying with the

strength of the dose; but not less than in proportion to that directed in the case of adults.

4. Three or four doses will generally be sufficient to relieve the patient, but the remedy may be safely continued as long as there is need, till consciousness returns, and the symptoms of poisoning subside.

*Rules to be observed in the treatment of Snake bites.*

1. On any person being bitten by a Snake, he should immediately tie a thin cord, or strip of cloth rolled up in the form of cord, tightly round the limb, about an inch above the bite, for by this means the poison is prevented from entering the body. The cord should not be removed for some hours.

2. Scarifications should be freely made with a knife, razor, or any sharp instrument procurable over the bitten part. These cuts should if possible be made through punctures caused by the Snake's teeth. Blood should be allowed to flow from the wounds, and bleeding induced by every means possible, as by so doing the poison is actually washed out.

3. The best way of insuring free bleeding, and extraction of the poison, is, by a person sucking the wound after the cuts have been made. Another person's mouth, or the sufferer's own if practicable, may be applied. Suction should be continuously kept up for half an hour at least.

4. There is no fear of injury happening to a person by sucking the bitten part. The poison will have no effect either by entering the mouth, or by being swallowed. No person with a cut on the lip or tongue should attempt to suck a poisoned wound.

5. Whatever stimulants are most easily and readily procurable should be administered. An ounce of arrack or country liquor, twenty or thirty drops of liquor ammonia in an ounce of water should be given every hour, or half hour, and continued as long as any symptom of faintness or drowsiness appears.

No. 40A.

*Camp Cawnpore, the 8th January 1861.*

The Reverend T. W. Shaw, Chaplain of Cawnpore, is appointed to the Station of Moradabad, and Reverend J. A. Stamper, whose services have been placed at the disposal of this Government, is appointed to be Chaplain of Cawnpore.

No. 45A.

Ameer Khan is appointed to be a Member of the Ghazepore Dispensary Committee.

No. 60A.

*The 9th January 1861.*

First Class Native Doctor Sooker Mohamed, of the Thomason Hospital, Agra, is appointed to the Saugor Dispensary; and First Class Native Doctor Ba Bakh, attached to the Saugor Dispensary, is appointed to the Thomason Hospital at Agra.

By Order of the Lieutenant-Governor, North Western Provinces,

G. B. W. COOPER,

*Secy. to the Govt., N. W. P.*

**ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces.**

**EDUCATIONAL DEPARTMENT.**

No. 44.

*The 9th January 1861.*

Lieutenant F. M. Forbes, Officiating Inspector of Schools, now in charge of the Rawul Pindie Division, is confirmed in his appointment.

**GENERAL DEPARTMENT.**

No. 54.

*The 10th January 1861.*

Captain J. E. Cracroft, Deputy Commissioner in the Punjab, returned from Sick Furlough to Europe on the 29th December last, and has obtained eight weeks' leave to enable him to rejoin his appointment.

No. 57.

*Appointments.*—Wuzee Ali, Tehseeldar of Lahore, and Officiating Extra Assistant Commissioner in the Delhi District, is permanently appointed an Extra Assistant Commissioner of the 3rd Class, in the room of Mr. J. Kitchen, resigned.

No. 51.

Mr. R. N. Cast, Commissioner of Unrisur, is appointed a Special Commissioner for the review of District Sudder Establishments, from the date on which his leave may expire.

No. 59.

*The 11th January 1861.*

The leave of absence granted to Sub-Assistant Surgeon Suddr-cool-hug (see *Punjab Gazette* Order No. 2619, dated 9th October last,) is cancelled.

No. 63.

*Appointment.*—The Reverend J. D. Symonds is appointed Chaplain of Peshawar, with effect from the 1st of September last.

Nos. 67-68

*Transfers.*—Sooltan Ali, Extra Assistant Commissioner, from the Muzafferghurh to the Rawul Pindie District.

Doobey Bakh Pershad, Extra Assistant Commissioner, from the Rawul Pindie to the Jhelum District.

**REVENUE DEPARTMENT.**

No. 63.

*Promotion.*—Mr. W. G. Horst, 4th Class Patrol on the Customs Line, Sirsa, is promoted to the 3rd Grade, with effect from the 1st of May 1860.

R. H. DAVIES,

*Secretary to Government, Punjab.*

Lahore, the 4th January 1861.

No. 5.—Under the sanction of the Supreme Government, the under-mentioned heirs of deceased Soldiers are admitted to the Native Family Pension, from the dates specified opposite to their respective names; and the Pay-Masters of Pensioners, in whose Circle the Individuals reside, will furnish the prescribed Rolls to the Department of Audit, and to the parties concerned:—

NAMES OF CLAIMANTS.	Age.		Height.	Caste.	Personal appearance and particular marks.	Village and Country.	Nature of relationship to the deceased.	Description of the deceased's relatives on whose account claims are made.			Date of admission.	Date of Committee's Proceedings.	Amount of Pension.	For what period.	By what Pensionable Pay-Master payable.
	Years.	Months.						Names.	Rank.	Last Corps.					
Kurnoo ..	20	0 5	0	Sikhnee ..	Has a single small-pox mark at the inner extremity of the left eye-brow above the nose. Has a similar mark at the point of the chin, and near it a minute mole, and a mark of tattooing.	Village Pashaper. Tehseel Shairpore, District Puttialla.	Wife ..	Deedar Sing	Sapoy ..	4th Sikh Infantry.	30th June 1857.	25th Feb. 1859.	2-12	Life.	Meerut.
Urna ..	45	0 5	0	Ditto ..	A small mole on the right side of neck, and a small pimple on the right side of collar bone. Also a black roundish mark on right forearm, 4½ inches from elbow.	Village Pearse, Tehseel Moogser, District Ferozepore.	Mother ..	K o m e r Sing.	Ditto ..	Ditto ..	23rd June 1857.	Ditto	2-12	Ditto	Ditto.
Motoo Sing ...	65	0 5	9½	Sikh ...	A strongly formed hale old man. Has a boil scar about four inches below right nipple.	Village Tanneh Bajbeh, Tehseel Shairpore, District Puttialla.	Father ..	M e h a b Sing.	Ditto ..	Ditto	14th Sept. 1857.	8th Sept. 1858.	2-12	Ditto	Ditto.
Saboh ...	50	0 5	2½	Sikhnee ..	Has a long boil scar about three inches long on the right side of her chest.	Village Kaluz, Pergunnah Pukhowal, District Ludlianah.	Mother ..	Prem Sing.	Ditto ..	Ditto	30th June 1857.	Ditto	2-12	Ditto	Ditto.

Names of Characters.	Age.		Caste.	Personal appearance and particular marks.	Village and Country.	Nature of relationship to the deceased.	Description of the deceased relatives on whose account claims are made.			Date of Admission.	Date of Committee's Proceedings.	Amount of Pension.	For what period.	By what Pensionable Pay-Master payable.
	Years.	Months.					Name.	Rank.	Last Corps.					
Mehar	50	0	5	2 Sikhnee .	Has two minute moles about half inch from the outer corner of her left eye. Also a small mole on right side of face.	Village Odey-pore, Tehseel Burwala, District Hamie.	Mother .	Narain Sing Sepoy.	4th Sikh Infantry.	27th June 1857	8th Sept. 1858	2-12	Life ..	Meerat.
Simma Koore	55	0	5	2 Sikhnee .	Has several marks of tattooing on the inside of the left fore-arm. One only distinct in appearance. A small mole on left eye-lid.	Village Gundoo, Thannah Soomnam, Tehseel District Puttialla.	Ditto ...	Buddu n Sepoy. Sing.	Ditto	2nd August 1857	Ditto	2-12	Ditto	Ditto.
Mahabb Koor	32	0	5	0 Khattree, Vanaick.	Mouth and nose drawn to the right by disease, left eye larger than the right, swollen and red; both eye-lids deformed. Large sore mark on left arm, little below elbow.	Village Jumlee, Pergunnah Lahore, District Lahore.	Wife ..	Mutah Sing Naick	4th Punjab Infantry.	12th Oct. 1860	12th Oct. 1860	3-8	Ditto	Ditto.
Khooshial	8	0	3	6 Pathan.	Has a scar on the forehead above the left eye.	Village Tolah, Pergunnah Esurkhel, District Bannoo.	Son ..	Sulhan ... Sepoy.	Ditto	25th Aug. 1857	14th June 1859	2-12	12 yrs.	Ditto.
Ram Sing	60	0	5	4 Jat Sikh.	Fair complexion. Grey beard. A small white scar on right shoulder. Large nose.	Village Gunevake, Pergunnah Lahore, District Lahore.	Father ...	Sarda Sing Sepoy	Ditto	10th Sept. 1857	3rd April 1858	2-12	Life ...	Ditto.

G. HUTCHINSON, Major,

Military Secy. to Govt. Punjab.

**Orders by the Board of Revenue,  
Lower Provinces.**

**Circular No. 7.**

**LAND REVENUE.**

UNDER orders of the Government of Bengal, the Board of Revenue direct that, in addition to the information already supplied in the Collectors' Esqs. **H. STAINFORTH** and **A. GROTE**, Monthly Statements of Rent Suits, details of the state of each Officer's file may be furnished in the following form :—

*Detail of State of each Officer's file during the month of*

Name of Officer.	Place where Court is held.	No. of cases pending at close of previous month.	No. of cases brought on file during the month under review.	Total.	Disposed of.	Remaining.	No. of cases more than two months old.	REMARKS.

2. The Board will supply a revised form of the Statement, containing all the information required, to the Allipore Jail Press, which will be furnished to Collectors as soon as the stocks of Forms now in their hands are used up.

**H. L. DAMPIER,**  
*Offg. Secretary.*

**BOARD OF REVENUE, L. P. ;**  
*Port William,*  
*The 19th January 1861.*

**Circular No. 8.**

**TO ALL COLLECTORS AND OFFICERS IN CHARGE OF DISTRICTS.**

ALL Officers in charge of Districts are requested to submit to the Board a Statement in the annexed form, showing the number of Licenses, for the retail sale of Ganjah, which were taken out in each month from May to October 1860, and the amount of fees realized thereon :—

1860-61.	Number of Licenses issued or renewed for retail sale of Ganjah, i. e. the total number in force in the month.	Amount of fees on the Licenses at four Rupees a month.	REVENUE.
May			
June			
July			
August			
September			
October			
Total			

By Order of the Board of Revenue, Lower Provinces,

**H. L. DAMPIER,**  
*Officiating Secretary.*

**FORT WILLIAM,**  
*The 22nd January 1861.*

**Opium Notification.**

NOTICE is hereby given, that the second Sale of Opium, the provision of 1859-60, will be held at the Exchange Hall, on Wednesday, the 6th of February 1861, at 11 A. M., and will comprize 1,780 Chests, viz. :—

Behar Opium	...	...	...	1,220
Benares ditto	...	...	...	560

**Total Chests ... 1,780**

2. The general Conditions of the Sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 10th November 1860, and published in the *Government and Exchange Gazette*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 11th and 21st February 1861 respectively, that is to say, no Sub-Treasurer's Receipts, Company's Paper, or other Public Securities, that may be tendered for deposit in redemption of Promissory Notes given by purchasers at the Sale, will be received after 4 p. m. of Monday, the 11th February 1861, and no Treasury Receipts in full payment of Lots will be accepted after 4 p. m. of Thursday, the 21st February 1861.

4. In addition to the quantity above advertised for Sale, the following quantities, more or less, of Behar and Benares Opium of 1859-60 will be brought to Sale in the present year on or about the dates specified below. The Board, however, reserve to themselves the right of altering these dates should circumstances render it expedient to do so :—

	Behar about Chests.	Benares about Chests.	Total about Chests.
On or about Thursday, 7th March 1861	1220	560	1780
Ditto Wednesday, 10th April	1220	560	1780
Ditto Wednesday, 8th May	1220	560	1780
Ditto Monday, 10th June	1220	560	1780
Ditto Monday, 8th July	1220	560	1780
Ditto Monday, 6th August	1220	560	1780
Ditto Monday, 8th September	1220	560	1780
Ditto Monday, 7th October	1220	560	1780
Ditto Wednesday, 6th Nov.	1220	560	1780
Ditto Thursday, 5th December	1244	501	1845
	12224	4841	17865

By Order of the Board of Revenue,

**A. EDEN,**  
*Offg. Junior Secretary.*

**FORT WILLIAM,**  
*The 2nd January 1861.*



**Notification.**

No. 140.

It is hereby notified for general information, that Adhesive Stamps of the value of half an anna will be available to the Public at the Office of the Collector of Calcutta, and at all Local Treasuries on and after the 15th day of February next. Collectors when supplied with these Stamps are requested to publish in their own Districts a Notification in Bengallee and Oordoo, making known that Adhesive Bill and Receipt Stamps of half an anna are available, and that the use of half-anna Postage Stamps on Bills, Cheques, and Receipts, is prohibited after the 28th February.

By order of the Board of Revenue,

H. B. DEVEREUX,  
*Offg. Junior Secretary.*

FORT WILLIAM,  
The 22nd January 1861. }

**Circular No. 1.**

The attention of the Civil and Criminal Authorities is requested to the subjoined orders of Government.

H. B. LAWFORD,  
*Register.*

SUD. DEWY. AND NIET. ADAPT., }  
The 14th January 1861. }

No. 12(B).

FROM H. BELL, Esq.,  
*Under-Secretary to the Government of Bengal,*

TO H. D. SANDEMAN, Esq.,  
*Officiating Civil Auditor.*

Revenue.  
Fort William, the 4th January 1861.

SIR,—I AM directed to acknowledge the receipt of your letter No. 3190, dated the 26th ultimo, and in reply to state that the Lieutenant-Governor approves of your suggestion, and instructions will be issued to all Officers soliciting leave of absence for themselves or Subordinates, or applying for Superannuation Pensions, to send their applications to you, in order that you may note on the back of such documents whether the Leave or Pension is admissible under the Rules of the Service.

I have, &c.,  
(Sd.) H. BELL,  
*Under-Secy. to the Govt. of Bengal.*

No. 13(B).

COPY of the above letter forwarded to the Sudder Court, for the issue of instructions to all Officers subordinate to them.

(Sd.) H. BELL,  
*Under-Secretary to the Govt. of Bengal.*  
FORT WILLIAM,  
The 4th January 1861. }

**Notification, No. 4.**

TO ALL CIVIL TREASURY OFFICERS CONCERNED.

THE Officiating Secretary to the Government of India, in the Military Department, having brought to the notice of this Office the inattention of Officers in charge of Civil Treasuries, and to the Rules in force for remittances on account of the Estates of Deceased Soldiers, which leads to frequent double remittances to his Department, your particular attention is drawn to the Government General Order No. 1725, dated 28th December 1858, published at page 2567 of the *Calcutta Government Gazette* for that year, and to my Circular, dated 19th January 1859, transmitting a form of transfer credit receipt applicable to such remittances.

E. DRUMMOND,  
*Acctt. Genl. to the Govt. of India.*

FORT WILLIAM;  
ACCOUNTANT GENERAL'S OFFICE,  
DURBAR AND REVENUE DEPARTMENT, }  
The 10th January 1861.

**Notification, No. 5.**

TO ALL CIVIL TREASURY OFFICERS CONCERNED.

INSTEAD of keeping a separate Memorandum of Bill and Receipt (or adhesive) Stamps as directed in my Notification, dated 7th ultimo, it will be sufficient in future distinctly to add the supply, and deduct the quantity sold, of such Stamps in the Memorandum of Judicial Stamps, to which should be carried the balance (if any) of the Memorandum of Bill and Receipt Stamps.

No. 6.

The abolition of the Leia District, and the establishment of a new District called Bunnee, in the Punjab, notified at page 117 of the *Calcutta Gazette* of the 12th instant, should be noted for future guidance in the list of Treasuries appended to the Bill Circular.

No. 7.

To prevent misapprehension, it is hereby intimated that charges on account of Compensation for losses incurred during the late Mutiny should be supported in account with the original Certificates of the Compensation Commissioner and payees' receipts, and not by audited Bills.

No. 8.

The realizations on account of Income Tax under each Schedule, and of Stamps (exclusive of Postage Stamps), should be reported to this Office punctually on the 1st or 2nd of the month following that in which they are brought to account.

E. DRUMMOND,  
*Acctt. Genl. to the Govt. of India.*

FORT WILLIAM;  
ACCTT. GENL.'S OFFICE,  
DURBAR AND REVE. DEPT., }  
The 16th January 1861.

**Notice.**  
No. 2115.

**TO ALL OFFICERS IN CHARGE OF TREASURIES.**

IN supersession of the Form of Register of Interest payments on Government Promissory Notes, prescribed in Circular from this Department, No. 899, of the 15th August last, the subjoined Form, combining both a Register for payments and a record of payees' receipts, will in future be accepted from all Treasuries throughout India from the 1st proximo.

2. A Note must be appended at the foot of each Register, exhibiting the total Tax deductions at 3 and 1 per Cent., respectively, as credited in the Treasury Accounts.

3. One Statement for each month's payments, and a separate Statement for each Loan, will be prepared.

4. The Register must be in duplicate, the original being sent to the Accountant with the regular Treasury Accounts, and the Duplicate retained for record.

At the same time a copy of the Register without the payees' signatures should be forwarded to this Department.

(Sd.) E. DRUMMOND,  
Accountant General to the  
Government of India.

ACCOUNTANT GENERAL'S OFFICE;  
INTEREST DEPARTMENT,  
The 17th January 1861. }

PER CENT. LOAN OF DATED

We do hereby acknowledge to have received from the Officer in charge of the Treasury the sums shown against our respective names, as follows, being the amount of Interest due to us, as specified:—

Date of receipt.	Numbers.	Accounts.	Interest for what period.	Holder's name.	Amount of Interest.	Income Tax at 3 per Cent.	Holder's signature.

**Notification.**

No. 9.

Two hundred (200) blank forms of First Bills of Exchange, Nos. 076051 to 076250, having been plundered in transit to the Deputy Collector of Goruckpore, Treasury Officers are cautioned against negotiating them without the special sanction of this Department.

E. DRUMMOND,  
Acctt. Genl. to the Govt. of India.

FORT WILLIAM;  
ACCOUNTANT GENERAL'S OFFICE,  
DURBAR AND REVENUE DEPARTMENT,  
The 21st January 1861. }

**Circular, No. 1071.**

**TO TREASURY OFFICERS OF THE LOWER PROVINCES.**

THE Extract Register of Bills discharged on account the Government of India, which is forwarded with each monthly Treasury Account, should be prepared as an entirely distinct Appendix, from the month of December last.

F. LUSHINGTON,  
Acctt., Govt. of Bengal.

FORT WILLIAM;  
Office of Acctt. to the Govt. of Bengal,  
The 14th January 1861. }

**Notification, No. 35.**

Mr. C. A. BRUCE, Deputy Collector, received charge of the Durrung Treasury on the 10th instant.

F. LUSHINGTON,  
Acctt., Govt. of Bengal.

FORT WILLIAM;  
Office of Acctt. to the  
Govt. of Bengal,  
The 21st January 1861. }

**Notice.**

BANKERS and Merchants sending Drafts and other Papers to this Office to be impressed with a Stamp are requested to see that all Papers are sent in separate Sheets.

It is not sufficient to remove the covers from Books without detaching the leaves from each other.

E. W. PERRY,  
Offg. Superintendent.

SUPDT. OF STAMPS OFFICE,  
The 13th December 1860. }

**Calcutta Stamp Office.**

The 22nd December 1860.

WITH reference to the present applications made to this Office for the impressment of Stamps on executed Instruments, the attention of the Public is directed to Section III. of the new Stamp Act, which enjoins a minimum penalty of One Hundred Rupees on persons making, executing, or signing Deeds, Instruments and Writings engrossed on unstamped or insufficiently stamped Paper. Parties are accordingly requested to send their documents to be stamped before execution, as they can only be impressed after signature on proof that the omission arose from "accident, ignorance, inadvertence, or from other unavoidable cause," and upon payment of the penalties specified in Clause 2, Section XIII. of the said Act.

G. R. HANCOCK,  
Collector of Stamps.

**Notice.**

**HINDOO HOLIDAYS IN FEBRUARY 1861.**

THE General Treasury will be closed on Thursday the 14th, and Friday the 15th February 1861, on account of the Hindoo Holidays Sree Panchomy.

J. I. HARVEY,  
Sub-Treasurer.

GENERAL TREASURY.  
The 22nd January 1861. }

**Notice.**

THE Public are hereby informed that, from this date, the power of endorsing documents protecting Salt, according to the provisions of Section XLVII. Regulation X. of 1819, has been withdrawn from the following Chowkies of the Jellapore Division:—

Chowkey Chonook,  
" Errinch,  
" Bahiree,  
" Contai.

At the following two new Stations, documents protecting all Salt passing by or near those Stations must be examined and endorsed under the conditions of Section XLVII. Regulation X. of 1819:—

*Bhailghur.*—On the South bank of the Bogda's.  
*Hidylee Point.*—On the left bank of the Russulpore River.

A. MONEY,  
Controller.

OFFICE OF CONTROLLER OF  
GOVT. SALT CHOWKIES,  
The 29th December 1860. }

**Presidency and Queen's Troops' Pay Office  
Memorandum.**

NOTICE is hereby given, that all payments hitherto made at the Presidency Pay Office in Cash will from this date be made by Cheque on the Sub-Treasurer, Fort William; and that no Bill will be received at the Presidency Pay Office for payment after 4 P. M.

G. M. HILL, Major,  
Presidency Pay Master,  
and Pay Master of British Troops.

CALCUTTA,  
The 7th January 1861. }

**Notice**

Is hereby given, that the Titilab Annual Fair will commence on the 29th February 1861.

A. G. MACDONALD,  
Magistrate.

**Notice.**

THE Calcutta Gate Drawbridge having been repaired, will be available for egress of Carriages, and the Water Gate for ingress only, from this date.

(By Order,)

GEORGE N. GREENE, Major,  
Offg. Fort Adjutant.

FORT WILLIAM,  
The 17th January 1861. }

Sheriff's Office, the 5th January 1861.

NOTICE is hereby given, that Sessions of Oyer and Terminer and Gaol Delivery, and also in Admiralty Sessions, will be held by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House in the Town of Calcutta, on Monday, the Fourth day of February next, at 12 o'clock at noon.

The Court will open on the first day of the Sessions at 12 o'clock at noon, and upon each succeeding day precisely at 11 o'clock in the forenoon, of which all persons are required to take notice.

JOHN COCHRANE,  
Sheriff.

মরিক আফিস জানওয়ারি ১৮৩১ সাল।

সমাচার দেওয়া যাইতেছে যে আগামি ৪ ফিবরিওয়ারি সন ১৮৩১ সাল সোমবার দুই প্রহরের সময় কলিকাতার কোর্ট উইলিং-এমের এবং তাহার অন্তঃপাতি যে সকল স্থান ভিন্নিভ বঙ্গ দেশের কোর্ট উইলিং-এমের গুপ্তেম কোর্ট আপন আদালত ঘরে ওয়েরটরমিনর এবং এডমাইরেলটি অর্থাৎ মহা সমুদ্র সম্পর্কীয় মোকদমা নিষ্পত্তি জন্য এক সেশিয়ান অর্থাৎ মিছিল করিবেন।

এই সেশিয়ান জতকাল পর্যন্ত বসিবেক তাহার প্রথম দিবস দুই প্রহরের সময় তাহার পর প্রতি দিবস এগারো ঘটীর সময় বসিবেক এ বিষয় সকলে অরণ রাখুন।

JOHN COCHRANE,  
Sheriff.

## ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to the several Khas Mehals, situated in the District of Shahabad, and mentioned in the Statement hereunto annexed, will be put up to Sale, under Orders of Government, in the Shahabad Collectorate, on Saturday, the 25th January 1861, corresponding with the 28th of Pous 1268 Fasly.

The purchaser of such Mehals will be subject to the conditions laid down below:—

## CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jumma entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummahundee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.

Number.	Poyjee Number.	Names of Mehals and Pergunnahs.	Area.			Sudder Jumma.			Remarks.
			B.	C.	D.	Rs.	As.	P.	
1	3785	Sewthura, Pergunnah Nonore ...	800	10	17	380	0	0	
2	3786	Benowlee oorf Benwuleea, Pergunnah ditto ...	19	9	4	15	0	0	
3	2757	Luhrap, ditto ditto ...	472	6	0	917	■	0	
4	3787	Goordeeha, ditto ditto ...	335	0	16	415	8	0	
5	3788	Muthoorapoor, ditto ditto ...	822	7	1	684	0	0	
6	3789	Mudunpoor, ditto ditto ...	2,021	5	0	2,315	0	■	
7	3790	Khundnee ditto ditto ...	804	16	0	975	0	0	
8	3791	Kurbasin and Putty Ponday, ditto ditto ...	1,732	12	0	2,019	0	0	
9	3792	Bunowlee, ditto ditto ...	1,011	18	5	1,253	0	0	
10	3793	Bhoputpoor dakhlee Andharee ditto ditto ...	61	9	11	60	12	0	
11	3794	Luchmeepoor oorf Luchmee dee dakhlee ditto, ditto ditto ...	65	13	19	58	0	0	
12	3795	Hurpoor, dakhlee ditto, ditto ditto ...	103	4	4	85	0	0	
13	3796	Kanhowlee, dakhlee ditto, ditto ditto ...	104	11	8	92	0	0	
14	3797	Bissumberpoor, dakhlee ditto, ditto ditto ...	134	19	10	135	0	0	
15	3798	Jaeedec, dakhlee ditto, ditto ditto ...	95	13	11	85	8	0	

A. A. SWINTON,  
Collector.

SHAHABAD COLLECTORATE, }  
The 21st December 1860. }

# ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the two Khas Mehals, situated in the District of Midnapore, and mentioned in the Statement hereto annexed, will be put up to Sale under Orders of Government, contained in their Under-Secretary's letter addressed to the Secretary to the Board of Revenue, under date the 3rd November 1859, No. 2722, in the Midnapore Collectorate, on Friday, the 1st February 1861, corresponding with the 21st Mangh 1268 Unkee. The purchasers of such Mehals will be subject to the Conditions laid down below :—

## CONDITIONS OF SALE.

- 1st.—Estates to be sold to the highest bidders above the upset price.
- 2nd.—When the amount of purchase money does not exceed 100 Rupees, the whole amount to be paid down at once. When the amount of purchase money exceeds 100 Rupees, a deposit of Rupees 25 per Cent. to be at once made upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one, and the Mehal will be again put up to Sale.
- 3rd.—The Sale to be subject to existing leases, and to the rights conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident Cultivators who have signed the Jummabundee made by the Revenue Authorities.
- 4th.—The annual Embankment charges of those Mehals which are assessed with such charges will be paid by the purchasers as heretofore paid by Government proportionately with other Zemindars. The executive arrangements for the repairs and maintenance of the Embankments will remain in force.
- 5th.—The amount recorded in the subjoined description of the Mehals under the heading of Sudder Jumma represents the amount for which the new Proprietor will be liable on account of the Government Revenue of each Estate.
- 6th.—The right of Government to all Minerals to be reserved.

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset price.	REMARKS.
	101	<i>Kedar Koond Estate.</i>	B. C. D.	Rs. As. P.	Rs. As. P.	
1	...	Gogram, Pergunnah Kedar Koond ...	1,118 5 ■	724 11 8½	1,020 13 7½	The farming lease of these Mehals will expire in 1861-65=1271 Unkee. The rent paid on each lease is the amount shown in Column 5.
2	...	Ambadeeghee, Pergunnah Kedar Koond ...	488 11 12	379 1 3	1,020 4 0½	

N. B.—These two Estates were sold in this Collectorate on the 10th October last, but on account of the default of the purchaser they are now to be re-sold.

KUMTAKUNT BYSACK,  
Deputy Collector, in charge of Treasury.

MIDNAPUR COLLECTORATE, }  
The 31st December 1860. }

## Bonded Warehouse.

NOTICE is hereby given to the Holder of Warrant No. 10404, dated 24th March 1859, for eighteen Frames and 242 Rolls of Felt imported by the Ship *Royal Stuart*, and deposited in the Warehouse by Messrs. JOHN MORRISON, NEWSON, & Co., that if the rent due thereon is not paid within one month from this date, the Association will proceed, under the 20th of its Bye Laws, to sell the same or so much thereof as may be necessary to pay the arrears of rent and all costs and charges in respect thereof.

H. W. J. WOOD,  
Secretary.

CALCUTTA, }  
The 15th January 1861. }

## Bonded Warehouse.

NOTICE is hereby given to the Holder of Warrant No. 10600, dated 15th July 1859, for fifty Frames F. R. of Patent Felt imported by the Ship *Augustus Wattenbach*, and bonded by Baboo Beharrylohl Day, that if the rent due thereon is not paid within one month from this date, the Association will proceed, under the 20th of its Bye Laws, to sell the same or so much thereof as may be necessary to pay the arrears of rent and all costs and charges in respect thereof.

H. W. J. WOOD, }  
Secretary. }

CALCUTTA, }  
The 15th January 1861. }



## ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to the several Khos Mehals, situated in the District of 24-Pergunnahs, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of Government dated the 3rd November 1859, No. 2722, in the 24-Pergunnahs' Collectorate on the 4th February 1861 and following days, corresponding with 23rd Magh 1267 B. S. The purchaser of each Mehals will be subject to the Conditions laid down below :—

## CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the Right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds 100 Rupees, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one.

5th.—The right of Government to all Minerals to be reserved :—

Number.	Number on the Taxjee.	Name of Mehal and Pergunnah.	Area of Mehal.	Sudder Jumma.	Upset Price.	REMARKS.
			B. C. Ch. G.	Ra. As. P.	Ra. As. P.	
1	33	Pergunnah Magoorah Chack Dohibag...	199 3 11 0	182 4 1	304 8 2	
2	41	511ro Mooragatcha, Mouzah Loo- da, &c. ...	389 10 2 12	703 7 11	1405 11 10	* An undetermined claim to 50B. 10C. 7Ch. of this area as rent-free.
6	73	Pergunnah Sahapore, Mouzah Bando- chunpore, &c. ...	649 19 8 0	580 10 5	1101 4 10	
8	80	Pergunnah Magoorah, Mouzah Chua- derant ...	185 10 12 0	168 10 0	397 5 6	
7	111	Pergunnah Mooragatcha, Mouzah Kamarpote, &c., ...	11493 3 0 0	11518 11 0	23037 6 0	
9	113	Pergunnah Azimabad, Mouzah Alipore, &c. ...	5136 11 0 0	6516 11 2	13033 8 4	An undetermined claim to 171B. 14C. of this area as rent-free.
10	154	Pergunnah Magoorah, Mouzah Chul- warce, &c. ...	10745 11 10 0	27963 13 2	35027 8 4	An undetermined claim to 47B. 10C. 4Ch. 15G.
14	310	Pergunnah Mooragatcha, Mouzah Dahi- pore, &c. ...	1012 1 0 0	1210 7 8	2432 15 4	
15	311	Pergunnah Mooragatcha, Mouzah Ekta- ra, &c. ...	4191 0 2 11	2723 0 0	5150 0 0	An undetermined claim to 73B. 10C. 6Ch.
16	312	Pergunnah Mooragatcha, Mouzah Bel- singah, &c. ...	10635 10 0 10	6792 7 11	17599 14 0	An undetermined claim to 667B. 17C. 3Ch.
19	336	Pergunnah Sahapore, Mouzah Domo- moolypore, &c. ...	12368 11 14 5	For 1267 B. S. 10712 13 9 For 1268 B. S. 10723 6 10 For 1269 B. S. 10733 0 0 For 1270 B. S. 10 41 9 1 From 1271 to 1277 per year. 1075. 14 6	21611 13 0	
22	351	Pergunnah Bileah, Mouzah Nowhaz- ro, &c. ...	3372 6 7 0	6352 3 2	10706 0 4	An undetermined claim to 200B. 2C. 6Ch.
24	374	Pergunnah Hattooghur, Mouzah Gopal- nagore, &c. ...	502 10 3 0	483 13 2	957 10 4	
25	384	Pergunnah Boridhotty, Mouzah Monu- rauz, &c. ...	10042 1 5 0	7399 4 11	14578 9 5	An undetermined claim to 816B. 0C. 14Ch.
26	411	Pergunnah Magoorah, Mouzah Dhon- khola, &c. ...	2071 15 11 0	2531 8 0	5102 7 0	An undetermined claim to 184B. 9C. 15Ch. 7G.

Number.	Number on the Torje.	Name of Mahal and Pergunnah.	Area of Mahal.	Sudder Jumma.	Upset Price.	REMARKS.
■	419	Pergunnah Mageorah, Mouzah San-pookoorah ...	641 6 0 0	889 10 10	1179 5 8	An undetermined claim 78D. 7C. 8Ch.
29	1531	Pergunnah Hattoghar, Mouzah 2nd Bingrubanpore ...	23962 8 0 0	1241 5 0	2182 10 0	
■	414	Pergunnah Mooragatcha, Mouzah In- norbareah, &c. ...	1586 0 0 0	775 15 6	1541 16 0	
30	432	Pergunnah Hattoghar, Abad Kadoah &c. ...	6808 13 0 0	From 1267 to 1274 H. S. per year. 2554 5 2 For 1275. 2575 1 3 For 1276. 2595 11 3 For 1277. 2637 1 6 For 1278. 2678 7 7 For 1279. 2710 13 10	6439 11 8	
36	443	Pergunnah Pechacooly, Mouzah Kurri- bariah, &c. ...	4652 13 11 11	6586 3 2	11132 6 4	
37	444	Pergunnah Bovidhotty, Mouzah Bang- gulhurnore, &c. ...	2224 0 0 0	2025 0 0	6250 0 0	
38	853	Pergunnah Halikishnur, Mouzah Konah bariah, &c. ...	1 1 10 0	2 0 6	4 0 10	
40	1072	Pergunnah Calcutta, Mouzah Chundi- bariah, &c. ...	111 10 0 0	88 14 3	137 12 6	
42	1073	Pergunnah Mooragatcha, Mouzah Mo- namaty, &c. ...	447 7 11 0	237 8 0	475 0 0	
46	1074	Pergunnah Calcutta, Mouzah Teghur- rah, &c. ...	300 16 0 0	191 14 7	380 13 2	
49	1075	Pergunnah Hattoghar, Mouzah Suru- bariah, &c. ...	553 18 0 0	215 0 8	431 3 4	
50	1070	Pergunnah Calcutta, Mouzah Titta- gharrah, &c. ...	1 1 0 0	0 15 8	1 15 4	
■	1071	Ditto ...	0 4 0 0	0 3 1	0 6 2	
60	1079	Ditto ...	1 1 11 0	1 3 7	2 7 2	
61	1701	Ditto ...	5 1 8 0	3 6 2	6 12 4	
■	1708	Ditto ...	0 4 8 0	0 3 4	0 8 8	
63	1709	Ditto ...	3 3 12 0	1 7 4	2 14 8	
■	1710	Ditto ...	1 5 0 0	0 13 4	1 10 8	
65	1711	Ditto ...	0 13 12 0	0 7 4	0 14 8	
66	1712	Ditto ...	1 15 15 0	1 0 5	2 0 10	
67	1713	Ditto ...	7 0 0 0	4 10 8	9 5 4	
68	1716	Ditto ...	3 17 0 0	2 0 1	6 2 2	
69	1719	Ditto ...	0 16 0 0	0 8 7	1 1 2	
70	1720	Ditto ...	0 16 0 0	0 9 7	1 3 2	
71	1721	Ditto ...	1 5 0 0	0 13 4	1 10 8	
72	1723	Ditto ...	0 10 4 0	0 5 6	0 11 0	
■	1485	Pergunnah Mageorah, Mouzah Chantee Pergunnah Azimabad, Mouzah Gubban- do ...	0 5 0 0	0 9 2	1 2 4	
89	1190	Ditto ...	1 10 0 0	1 8 0	3 0 6	
■	42	Pergunnah Hattoghar, &c., Mouzah Bansbareah, &c. ...	284 2 7 8	130 0 0	130 0 0	
4	46	Pergunnah Hattoghar, Mouzah Bindu- bunpore, &c. ...	214 0 12 1	110 0 0	110 0 0	
11	185	Pergunnah Hattoghar, &c., Mouzah Rajarampore, &c. ...	1334 15 2 12	600 0 0	600 0 0	
32	425	Pergunnah Hattoghar, Mouzah Kassi- nagore ...	8942 1 8 0	5000 0 0	5000 0 0	
14	435	Pergunnah Hattoghar, Abad Gobind- pore ...	678 14 0 0	370 0 0	370 0 0	
35	437	Pergunnah Pechacooly, Mouzah Se- moulbareah, &c. ...	635 11 4 0	500 14 8	560 14 8	
13	280	Pergunnah Meddennullo, Mouzah Kishorepore, &c. ...	160 18 6 0	78 13 0	100 0 0	
31	423	Pergunnah Hattoghar, Abad Belpoo- koonah ...	6461 14 4 0	2283 13 11	3262 12 1	
41	1060	Pergunnah Myhoty, Mouzah Euen- pore, &c. ...	519 10 8 0	413 2 9	543 2 10	
62	1158	Pergunnah Calcutta, Mouzah Khurrem- bah, &c. ...	1674 6 3 10	774 0 4	958 14 10	
84	1306	Pergunnah Baidpore, Mouzah Luckli- nathpore, &c. ...	167 16 11 10	102 0 1	120 0 1	

C. H. CAMPBELL,  
Offg. Collector.

COLLECTOR'S OFFICE;  
24-PERGUNNAH,  
The 2nd January 1881.

# ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the several Khas Mehals, situated in the District of Shahabad, and mentioned in the Statement hereunto annexed, will be put up to Sale, under Orders of Government, in the Shahabad Collectorate, on Saturday, the 25th January 1861, corresponding with the 28th Pous 1268 Pusly.

The purchaser of such Mehal will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jumma entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one.

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	REMARKS.
			B. C. D.	Rs. As. P.	
1	616	Rughopoor Pergunnah Powar ...	100 0 0	144 ■ 0	This Estate will be re-sold, owing to the purchaser having failed to deposit the purchase money as prescribed by Regulation.

J. MACKENZIE,

*Deputy Collector, in charge of Treasury.*

SHAHABAD COLLECTORATE,

*The 6th January 1861.*

## Notice

Is hereby given, that Drafts will be issued from the Lucknow Treasury, from this date, bearing a new series of general numbers commencing with 096601.

H. PICKERS,

*Extra Assistant Commissioner,*

*in charge of Treasury.*

LUCKNOW TREASURY OFFICE, }  
*The 30th November 1860.* }

## Notice

Is hereby given, that the Lease of the Lime-bed situated in Pergunnah Jufflung, at the foot of the Jynteah Hills, in the North of the District of Sylhet, will expire on the 30th April next. Parties desirous of working the bed in question are requested to apply either personally, or through their Agents, to the Collector of Sylhet, by whom all particulars regarding it will be furnished. The lease now about to expire was for a period of five years.

GEORGE G. BALFOUR,

*Collector.*

SYLHET COLLECTORSHIP, }  
*The 2nd January 1861.* }

**Dalhousie Sanatarium—Punjab.**

**SALE BY PUBLIC AUCTION OF BUILDING SITES.**

ON or about the 5th February will be sold by Public Auction at Dalhousie the available Building Sites in that Sanatarium, at an upset price of Rupees fifty per Acre. All intending purchasers to attend at the Auction, or to appoint Agents to bid for them. The value of the lots to be paid to the undersigned within one month from the date of Sale.

It is to be clearly understood that the rules framed by Government for the Sanatarium will be binding on all purchasers of sites.

About fifty sites will be put up to Auction.

G. A. CRASTER, *Captain,*  
*Executive Engineer.*

NOORPORE, }  
January 3rd, 1861. }

TO BE PREEMPTORILY SOLD, pursuant to an Order of Supreme Court of Judicature at Port William, in Bengal, made in a certain cause wherein Russickloll Paulit is Complainant and Sreemutty Mothoormoney Dossee, widow, and legal personal representative of Kallikisto Paulit, is Defendant, on and bearing date the twenty-third day of April, one thousand eight hundred and sixty, with the approbation of Walter Morgan, Esquire, the Master of the said Court, at his Office in the Court House, on Monday, the eighteenth day of February next, at the hour of noon, the following property, (that is to say) :—

All that one-fourth part or share of and in all that piece or parcel of land situate No. 6 in Thakoordoss Paulit's lane, in Calcutta.

Further particulars may be had and conditions of sale and an abstract of title inspected at the Master's Office, Supreme Court, and of Mr. Hatch, Solicitor for the Plaintiff.

W. MORGAN,  
*Master.*

C. W. HATCH,  
*Plaintiff's Attorney.*

CALCUTTA; }  
Supreme Court, Master's Office, }  
The 17th January 1861. }

*Court for the Relief of Insolvent Debtors at Calcutta.*

In the matter of Don- } On Thursday, the  
nomally Mookerjee, of } 17th day of January  
Sickdarparrab Lane, in } instant it was ordered  
Calcutta, lately carrying } that the matters of the  
on business in co-part- } petition of the said In-  
nership with Somawol- } solvent be heard on  
lah Mistry, Ramcoomar } Saturday, the 2nd day  
Mullick, and Sookloll } of March next, and that  
Byragee, an Insolvent. } the said Insolvent do  
then attend to be examined by the said Court.

P. C. Mookerjee, *Attorney.*

In the matter of Mool- } On Thursday, the  
tanchund Lahootee, } 17th day of January  
who carries on trade } instant, it was, on the  
and business at Puggoa- } petition of Holas Chund,  
putty, in Calcutta, as a } a Creditor of the said  
Cloth Merchant, an } Insolvent, adjudged that  
Insolvent. } the said Mooltanchund  
Lahootee hath committed an act of insolvency,  
under the provisions of the Act XI. Vic. cap.  
XXI., and by another order of the same date  
the Estate and Effects of the said Insolvent were  
vested in the Official Assignee.

W. W. and C. D. Linton, *Attorneys.*  
*Chief Clerk's Office, the 15th January 1861.*

**Notice.**

THE Interest of MR. THOMAS WISEMAN, of Glas-  
gow, as a Partner in the Firm of the undersigned  
has ceased from this date.

MAIR & Co.  
CALCUTTA, }  
The 15th January 1861. }

MR. JOHN SHEPHERD DOUGLAS has to-day been  
admitted a Partner in our Firm.

MAIR & Co.  
CALCUTTA, }  
The 15th January 1861. }

**Notice.**

MR. JOHN PARRATT, Junior, has this day been  
admitted a Partner in our Firm.

KELLY AND Co.  
CALCUTTA, }  
The 1st January 1861. }

COPIES OF THE  
**Report of the Indigo Commission,**  
TOGETHER WITH  
**The whole of the Evidence**  
TAKEN BEFORE THE COMMISSION.

AND THE  
APPENDICES, NOS. I., II., AND III.,  
Can be had on application to the PRINTER of the  
*Calcutta Gazette*, Bengal Office, at 8 Rupees per  
copy.

**Lost, Stolen, or Destroyed.**

THE under-mentioned Government Promissory  
Note, standing in the names of Captain W. R.  
Hillierdon and G. Berresford, the owners, by whom  
it was never endorsed to any person. Payment of  
the Note, and of Interest thereon, has been stopped  
at the Loan Office, and application is about to be  
made for the issue of a duplicate :—

*Particulars of the Government Security.*  
No. 6258 of 1886 of 1842-43, for Rs. 14,000.

J. WELCH,  
*Offg. Asst. Genl.*

**Lost, Stolen, or Destroyed,**

The under-mentioned Government Promissory Notes, standing in the names of Syed Ali Nuckee and Syed Mohamed Tuckee, the Proprietors, by whom they were never endorsed to any other person. Payment of the Notes, and of Interest thereupon, have been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicate Notes in favor of the Proprietors:—

No. 15615 of 1854-55 for Cos. Rs. 12,000.  
 „ 31782 of „ „ 4,000.

SYED ALI NUCKEE  
 AND  
 SYED MOHAMED TUCKEE.

LUCKNOW,  
 The 16th January 1861. }

**Lost,**

A PIECE of Government Promissory Note, No. 89320 of 1854-55, of the 1 Per Cent Loan, casually lost on Saturday last, the 12th day of January instant, while passing by the Evening Train of that day from Calcutta to Sreerampore.

CALLYDASS DAY SIRCAR.

15th January 1861.

**Lost,**

THE dexter half of Bank of Bengal Note No. 38089B., for Rupees 25, the payment of which has been stopped at the Bank.

**Lost,**

The second half of Bengal Bank Note for Company's Rupees fifty (50) No. 12333. Payment stopped in the Bank.

**NOTICE issued by the POST-MASTER GENERAL of BENGAL.**

No. 7637.

THE Public are informed, that an Experimental Post Office has been opened at Perozepore, situated between Khoolneuh and Moharajunge, in the District of Backergunge.

C. K. DOVE,  
 Post-Master General of Bengal.

CAMP ELLIOTTGUNGE,  
 The 14th January 1861. }

**NOTICES issued by the POST-MASTER of CALCUTTA.**

No. 4424.

The 11th January 1861.—The Post Master of Calcutta begs to notify that the Bullock Train will again be open to the Public from this date.

No. 4534.

The 18th January 1861.—The Steamer *Simla* will pass Kedgerce about 8 and 9 A. M. on the 24th instant without anchoring. An endeavor will be made to get an After Packet on board, consisting of letters posted up to 1 P. M. on the 23rd idem.

*It is hereby notified that, unless marked for particular Ships, all Letters received at the General Post Office, between Monday the 14th January 1861 and Sunday the 20th January 1861, both dates inclusive, were despatched by the under-mentioned Vessels, which sailed from Calcutta on dates specified:—*

Letters received on dates from and to.	By what Ship despatched.	Bound to	REMARKS.
14th to 16th Jan 1861.	Steamer <i>Rangoon</i> ...	Akyah, Rangoon and Maulmein.	Left Town on the 17th Jan. 1861.
14th to 19th „ „	„ <i>Lancefield</i> ...	Penang, Singapore and Hong-kong	Left Town on the 20th „ „
14th to 15th „ „	Ship <i>Indiana</i> ...	Mauritius ...	Left Town on the 16th „ „
14th to 19th „ „	„ <i>Holapur</i> ...	Cape of Good Hope	Left Town on the 20th „ „

The 22nd January 1861.





# The Calcutta Gazette.

SATURDAY, JANUARY 26, 1861.

## LEGISLATIVE COUNCIL OF INDIA.

THE 19TH JANUARY 1861.

THE following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor-General on the 12th January 1861, and is hereby promulgated for general information:—

ACT No. I of 1861.

*An Act for the improvement of the administration of Justice and despatch of business in the Supreme Court of Judicature in Bombay.*

WHEREAS it is expedient to effect an improvement in the administration of Justice and despatch of business in the Supreme Court of Judicature in Bombay: It is enacted as follows:—

I. From and after the passing of this Act, it shall be lawful for any one of the Judges of the Supreme Court of Judicature at Bombay, when occasion shall so require, to sit apart from the other Judges or Judge, as the case may be, of the same Court, for the despatch of the Plea Side, or the Equity, or other business of the said Court, at the same time when the other Judges or Judge, as the case may be, of the said Court, shall be sitting for the despatch of business of any description in the said Supreme Court: and all proceedings whatever so had by and before such Judge so sitting apart for the purpose aforesaid, shall be good, valid, and effectual in law to all intents and purposes as fully as if the said proceedings were had before all the Judges of the said Court.

II. The said Court shall issue such new Rules and Orders as may be necessary for the purpose of giving full effect to the provisions herein contained.

M. WYLIE,  
Clerk of the Council.

THE 19TH JANUARY 1861.

THE following Bill was read a second time in the Legislative Council of India on the 19th January 1861, and was referred to a Select Committee who are to report thereon after the 23rd of March next:—

*A Bill for extending certain provisions of Acts XIV and XXV of 1856 to the Town and Suburbs of Rangoon, and to the Towns of Moulmein, Tavoy, and Mergui, and for appointing Municipal Commissioners, and for levying rates and taxes in the said Towns*

WHEREAS it is expedient to provide for the conservancy and improvement of the Town and Suburbs of Rangoon, and the Towns of Moulmein, Tavoy, and Mergui, for the appointment of Commissioners, and for assessing and levying rates and taxes for municipal purposes in the said Towns: It is enacted as follows:—

I. The provisions of Act XIV of 1856, entitled "An Act for the conservancy and improvement of the Towns of Calcutta, Madras, and Bombay, and the several Stations of the Settlement of Prince of Wales' Island, Singapore, and Malacca," are hereby extended to the Town and Suburbs of Rangoon, and to the Towns of Moulmein, Tavoy, and Mergui, and the word "Town" in Section II of the said Act is hereby declared to include all places within the limits of the said Town and Suburbs of Rangoon, and the said Towns of Moulmein, Tavoy, and Mergui, as those limits shall be, from time to time, determined and declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively; provided that the interpretation of the word

Proviso. "Owner" in Section II of the said Act shall not be in force in the said Town of Rangoon, and that the said word shall mean the registered owner of the land or premises in connection with which the word is used.

II. Act XXV of 1856, entitled "An Act to comprise in one Act the provisions necessary for the assessment and collection of Municipal

Act XXV of 1856 incorporated.

pal rates and taxes in the Towns of Calcutta, Madras, and Bombay, and the several Stations of Prince of Wales' Island, Singapore, and Malacca," is incorporated with this Act; and in construing the said Act as incorporated with this Act, the expression "the special Act" shall mean this Act, the word "Town" shall include all places within the limits of the Town and Suburbs of Rangoon, and of the Towns of Moulmein, Tavoy, and Mergui, as those limits, shall, from time to time, be determined and declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively. Provided that Sections I, II, III, IV, V, VI, VII, VIII, IX, X, XI, and XII, of the said Act XXV of 1856 shall not have effect in the limits of the said Town and Suburbs of Rangoon, and that the appeals referred to in Sections XVII, XVIII, and XIX of the said Act shall, in the said Town and Suburbs of Rangoon, and in the said Towns of Moulmein, Tavoy, and Mergui, be heard and determined by two Magistrates.

III. At each of the said Towns of Rangoon, Moulmein, Tavoy, and Mergui, there shall be five Commissioners for the purposes of this Act, and for the conservancy and improvement of the said Towns, who shall be called respectively the Municipal Commissioners of Rangoon, the Municipal Commissioners of Moulmein, the Municipal Commissioners of Tavoy, and the Municipal Commissioners of Mergui, and who shall by such name be a body corporate and have perpetual succession and a common seal, and by such name shall sue and be sued.

IV. At the said Town of Rangoon the Deputy Commissioner and the Town Magistrate shall be Municipal Commissioners, and three rate-payers shall be selected and nominated as Commissioners by the Commissioner of Pegu, and shall enter upon their office on the first day of January after their nomination, and shall hold their office for one year, and be eligible for re-nomination. The Commissioner of Pegu shall nominate one of the said five Commissioners to be President of the Board of Commissioners.

V. At the said Towns of Moulmein, Tavoy, and Mergui, the Deputy Commissioner or other Chief Civil authority of the District in which the Town is situated, shall be one of the Municipal Commissioners, and four rate-payers, of whom one at least shall be an Officer of Government, shall be selected and nominated as Commissioners by the Commissioner of the Tenasserim and Martaban Provinces, and shall enter upon their office on the first day of January after their nomination, and shall hold their office for one year, and be eligible for re-nomination. The Commissioner of the Tenasserim and Martaban Provinces shall nominate one of the said Com-

missioners in each of the said Towns of Moulmein, Tavoy, and Mergui to be President of the Board of Commissioners.

VI. The Municipal Commissioners appointed under this Act shall meet once in every week at least. The attendance of three Commissioners shall be necessary to constitute a meeting. The President, or in his absence the Chairman chosen by the Commissioners present, shall have a second or casting vote on all questions on which the Commissioners present are equally divided in opinion.

VII. All Town lots as originally granted, all Assessment on dwelling houses situated on Town lots &c. in Suburban allotments and in Rangoon. yards, within the limits of the Town and Suburbs of Rangoon, as those limits shall be from time to time determined and declared by the Commissioner of Pegu, shall be liable to a monthly rate as specified in the annexed Schedule A, which rate shall be payable quarterly by the registered owner of the same. Whenever the registered owner of the lot shall fail to pay the amount of such rate on demand, the occupant or occupants of the whole or any portion of the tenement or tenements on the lot shall be jointly and severally chargeable with the same, as provided in Section XIV of the Suburban allotment rules.

VIII. Houses, buildings, and lands in the said Towns of Moulmein, Tavoy, and Mergui, shall be liable to an annual rate, to be fixed from time to time by the Commissioner of the Tenasserim and Martaban Provinces, but in no case exceeding seven and a half per centum of the annual value of the houses, buildings, and lands subject to such rate. The rate fixed by the Commissioner shall, from time to time, be publicly notified, and shall be payable quarterly by the owners of the said houses, buildings, and lands.

IX. Houses and buildings used exclusively as places of public worship, or for charitable purposes, burial grounds, hospitals, Sepoys' lines, and all buildings and lands the property of Government, shall not be liable to the rates specified in the last two preceding Sections.

X. The Municipal Commissioners in Moulmein, Tavoy, and Mergui, may exempt from assessment any house, building, or land, the annual value whereof is less than twelve Rupees, if the same be the sole rateable property of the owner.

XI. When any house or building in the Towns of Moulmein, Tavoy, and Mergui, shall have been vacant for sixty consecutive days during any year, the Municipal Commissioners shall remit so much of the rate for that year as may be proportionate to the number of days the said house or building may have remained unoccupied, provided that the owner of the said house or building, or his agent, shall have given notice in writing of the vacancy thereof to the said Commissioners, and that the amount of rate to be remitted shall be calculated from the date of the delivery of such notice.

**XII. A Tax shall be imposed upon all carriages, wagons, carts, horses, ponies, mules, and elephants, kept within the said Town and Suburbs of Rangoon and the said Towns of Moulmein, Tavoy, and Mergui, and upon all boats plying in the Port of Moulmein, at the rates specified in the annexed Schedule B., and shall be paid quarterly by the owners or parties in charge of the same.**

**XIII. Provided that the several vehicles and animals hereinafter mentioned shall be exempt from the tax, namely:—**

1. Gun Carriages, and Ordnance and Commissariat Carts and Wagons.
2. Horses and ponies belonging to Officers doing regimental duty, at the rate of one horse or pony for each Officer.
3. Conservancy carts, horses, ponies, mules, and elephants, belonging to the Municipal Commissioners.
4. Vehicles and animals kept for sale and not used for any other purpose, if kept by *bona fide* dealers in such vehicles and animals.
5. Wagons and carts kept within estates and plantations and not used upon the public roads, having the name of the owner painted on some conspicuous part thereof in letters not less than two inches in length, and registered at the Office of the Commissioners.
6. All animals kept within estates or plantations and not used upon the public roads.
7. Ponies under eleven hands, and children's carriages, the wheels of which do not exceed twenty-four inches in diameter.

**XIV. Every person who may have owned or had charge of any vehicle or animal kept within any of the said Towns for a period exceeding thirty days in any quarter shall be liable to the whole tax for that quarter. If the period do not exceed thirty days, no tax shall be chargeable for that quarter. Provided that when any person owning or having charge of vehicle or animal shall transfer the same to another person, he shall give notice thereof to the Commissioners within one week from the date of such transfer, or, if he fail to give such notice, shall be liable to the whole tax for the quarter, although the period during which he may have owned or had charge of such vehicle or animal shall not have exceeded thirty days.**

**XV. When a carriage shall have been under repair at a carriage-maker's for more than thirty days in any quarter, the Commissioners shall remit so much of the tax for that quarter as may be proportionate to the number of days the said carriage may have been under repair.**

**XVI. The Municipal Commissioners, at their discretion, may compound for any period not exceeding one year, with livery stable-keepers and other persons keeping carriages and horses for hire, for a certain sum to be paid for the carriages and horses so kept by such persons, in lieu of the taxes specified in the Schedule.**

**XVII. Every carriage kept and let out for hire, and every wagon and cart kept or used within the said Suburbs or Town of Rangoon, or within any of the said Towns of Moulmein, Tavoy, or Mergui, and every boat plying for cargo or passengers in the Port of Moulmein, shall be registered in the Office of the Municipal Commissioners with the name and residence of the owner, and shall bear the number of such registration in such manner as the said Commissioners shall direct. The registration shall be made and the numbers assigned annually upon such day in each year as the Commissioners shall appoint. Any person becoming possessed within the year of any such carriage, wagon, cart, or boat, which has not been registered, may obtain registration on application to the said Commissioners at their Office. When any registered carriage, wagon, cart, or boat, is transferred within the year, it shall be registered anew in the name of the person to whom it has been transferred. A fee of four annas shall be paid for each registration.**

**XVIII. Whoever keeps within the said Suburbs or Town of Rangoon, or within any of the said Towns of Moulmein, Tavoy, or Mergui, or within the Port of Moulmein, any such carriage, wagon, cart, or boat, required to be registered by the last preceding Section, without being so registered, shall, on conviction before a Magistrate, be liable to a fine not exceeding ten Rupees; and the Municipal Commissioners, or any Officer duly authorized by them, may seize or cause to be seized any such carriage, wagon, cart, or boat, (provided the same be not employed at the time of seizure in the conveyance of any passengers or goods,) together with the horses, bullocks, or other animals drawing the same, and may deliver them over to the Police; and all Police Officers are hereby required, on the application of the said Commissioners or other Officer as aforesaid, to seize and detain the same. If the carriage, other vehicle, or boat as aforesaid, be not claimed, or if the fine be not paid within ten days, such carriage, vehicle, or boat, together with the animals seized with it, may be sold by order of the Magistrate, and the proceeds applied to the payment of the fine, and all costs and charges incurred on account of the detention and sale, and the surplus, if any, if not claimed by the owner within a further period of twenty days, shall be paid to the Municipal Commissioners.**

**XIX. All monies received by the Municipal Commissioners by virtue of this Act, or of Act XIV of 1856, or of any other Act of the said Town and Suburbs of Rangoon, or of the said Towns of Moulmein, Tavoy, or Mergui, shall form a fund which shall be called the "Municipal Fund" of the Town at which the same shall have been so received: the Municipal Fund of each Town shall be under the direction, management, and control of the Municipal Commissioners of such Town, who shall in the first instance appropriate such sum as may be declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively to be necessary for the payment and maintenance of the Police Force in each of the said Towns, and for the payment of the Office establishments of the**

Magistrate and Commissioner of Police (but not including the salary of any such Magistrate or Commissioner), such sum to be paid at the times and in the manner which the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces may respectively direct; and shall apply the residue to the purposes of this Act, and the Incorporated Act, and of Act XIV of 1856.

XX. All fines and penalties imposed under this Act, and all fees received under the operation of this Act, and all tolls received at any public ferry within the limits of the said Town and Suburbs of Rangoon, or of the said Towns of Moulmein, Tavoy, or Mergui, or of the Port of Moulmein, shall be paid to the Municipal Commissioners of the Town at which the same shall have been imposed or received and shall be carried to the credit of the Municipal Fund of such Town.

XXI. This Act shall commence and take effect on and after the day of 1861.

#### SCHEDULE A.

	Rs.	As.	P.
1st Class lots	...	6	8 0
2nd Class lots	...	3	4 0
3rd Class lots	...	1	2 0
4th Class lots	...	0	11 0
5th Class lots	...	0	10 0

#### SCHEDULE B.

	Rs.	As.	P.
For every four-wheeled carriage on springs	...	24	0 0 a year.
For every two-wheeled carriage on springs	...	18	0 0 "
For every wagon drawn by man or beast	...	16	0 0 "
For every cart drawn by cattle	...	12	0 0 "
For every cart drawn by man	...	8	0 0 "
For every horse, pony, or mule	...	4	0 0 "
For every elephant	...	20	0 0 "
For every boat plying for passengers or cargo	...	6	0 0 "

M. WYLIE,  
Clerk of the Council.

THE 19TH JANUARY 1861.

The following Bill was read a second time in the Legislative Council of India on the 19th January 1861, and was referred to a Select Committee who are to report thereon after the 23rd of April next :—

*A Bill to make certain amendments in the Articles of War for the Government of the Native Officers and Soldiers in Her Majesty's Indian Army.*

WHEREAS it is expedient to make certain amendments in the Articles of War provided by Act XIX of 1847, and to embody therewith the provisions of Act VI of 1860; It is hereby enacted as follows:—

I. From and after the Repeal of Act XIX of 1847 and Act VI of 1860, the Articles of War provided by Act XIX of 1847 and Act VI of 1860 are repealed.

II. The following Articles of War shall, from and after the said day, be the Enactment of the Articles of War for the Government of the said Native Officers and Soldiers in the Military Service of Her Majesty, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers. Proviso.

ded always that all crimes and offences committed against the Articles of War provided by Acts XIX of 1847 and VI of 1860 aforesaid may be enquired of and punished in like manner as if they had been committed against the Articles of War hereby provided; and that every Warrant for holding any Court Martial under the Articles of War provided by the Acts now repealed shall remain in full force notwithstanding the repeal of such Articles; and that all proceedings of any Court Martial upon any trial begun under such Articles shall not be discontinued by the repeal of the same.

### Articles of War.

#### SECTION I.

##### *Of Enlisting and Discharges.*

#### ARTICLE 1.

Every Recruit, prior to being enrolled in his Regiment, shall have the first four Articles of the Second Section of these Articles of War read and explained to him, and when reported fit for duty in the Ranks, any usual declaration or charge shall be made to him by the Officer Commanding, in front of the Regiment or Corps, in presence of the Native Officers and Soldiers, and the Recruit shall then, in front of the Guns or Colours, make the subjoined solemn affirmation:—

I, ———, solemnly affirm in the presence of Almighty God, that I will be faithful to Her Majesty the Queen, and will go wherever I am ordered by land or sea, and will obey all commands of the Officers set over me, and defend these Guns (or Colours) with my life.

#### ARTICLE 2.

No Commissioned Officer shall be dismissed except by the sentence of a General Court Martial. Provided that the Governor-General in Council in his executive capacity, and the Governor in Council and the Commander-in-Chief of any Presidency to which a Commissioned Officer may belong, shall have power to order his discharge. Every dismissal or discharge of a Commissioned Officer shall involve forfeiture of all claim to pension.

#### ARTICLE 3.

Non-Commissioned Officers and Soldiers shall be liable to discharge by order of the Governor-General in Council, or the Governor in Council or the Commander-in-Chief of the Presidency to which they may belong.

The Commanding Officer of every Regiment subject to these Articles of War shall have power to discharge any Native Soldier below the rank of a Non-Com-

missioned Officer, and to dismiss or reduce to the ranks any Non-Commissioned Officer belonging to such Regiments; and every such dismissal or discharge shall involve forfeiture of pension.

All Non-Commissioned Officers and Soldiers discharged the service shall be furnished by the Commanding Officer of the Regiment with a discharge Certificate, made out in the Vernacular language of the individual discharged, with an English translation, expressing the authority for, and cause of, such discharge and the period of his entire service in the Army.

Provided that no Non-Commissioned Officer shall be reduced to the Ranks for any limited period; nor suspended from his rank; nor reduced from a higher to a lower grade of Non-Commissioned Officer.

ARTICLE 4.  
No Non-Commissioned Officer or Soldier shall enlist himself in any other Regiment without a regular discharge from his former Regiment, under the penalty of being reputed a deserter, and suffering accordingly.

## SECTION II.

### *Crimes and Punishments.*

*Crimes punishable with Death, Transportation, or other Punishment, by General Court Martial.*

ARTICLE 5.  
Any Officer, or Soldier, who shall begin, excite, cause, or join in any mutiny or sedition in the Regiment or Corps to which he belongs, or in any other Corps or Regiment whatsoever, on any pretence whatever; or who, being present at any mutiny or sedition, shall not use his utmost endeavours to suppress it; or who, coming to the knowledge of any mutiny, intended mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer;—or

ARTICLE 6.  
Who shall strike his Superior Officer, or shall draw or offer to draw, or lift up any weapon, or use or offer any violence, against him, whether on or off duty and under all circumstances in which his Superior Officer may be distinguishable as such in any manner;—or

ARTICLE 7.  
Who shall disobey any lawful command of his Superior Officer;—or

ARTICLE 8.  
Who shall desert from Her Majesty's Service (whether or not he shall re-enter or re-enlist in the same);—or

ARTICLE 9.  
Who, being a sentry, in time of war or alarm, shall sleep upon his post; or shall leave it before regularly relieved, or without leave; or shall plunder or injure the property placed under his charge;—or

ARTICLE 10.  
Who shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard, committed to his charge or which it was his duty to defend; or who shall use means to induce any other Officer or Soldier so to abandon or deliver up any such Garrison, Fortress, Post, or Guard;—or

ARTICLE 11.  
Who shall treacherously make known the watchword to any person not entitled to receive it according to the rules and discipline of war;—or

ARTICLE 12.  
Who shall hold correspondence with, or give intelligence to the enemy, or any person in arms against the State, either directly or indirectly; or who, coming to the knowledge of such correspondence or communication, shall not discover it immediately to the Commanding Officer;—or

ARTICLE 13.  
Who shall directly or indirectly assist or relieve the enemy, or persons in arms against the State, with money, victuals, or ammunition; or shall knowingly harbour or protect any enemy or person in arms against the State;—or

ARTICLE 14.  
Who shall treacherously release, wilfully aid, or connive at the escape of an enemy or person in arms against the State, placed as a prisoner under his charge;—or

ARTICLE 15.  
Who shall misbehave himself before the enemy or persons in arms against whom he is led, or use means to induce others so to misbehave;—or

ARTICLE 16.  
Who shall in presence of an enemy, or of persons in arms against whom he is led, shamefully cast away his arms or ammunition;—or

ARTICLE 17.  
Who shall leave his Commanding Officer, or his Post, or Colours, or Party, in time of action, to go in search of plunder;—or

ARTICLE 18.  
Who, in time of war, shall do violence to any person bringing provisions or other necessaries to the Camp or Quarters of the Force; or shall force a safe guard; or break into any house or other place for plunder; or plunder fields or gardens, or other property;—or

ARTICLE 19.  
Who, in time of war, shall, by discharging fire-arms, drawing swords, beating drums, making signals, using words, or by any means whatever, intentionally occasion false alarms in action, camp, garrison, or Quarters;—or

ARTICLE 20.

Who shall, without proper authority, release any State prisoner or through carelessness or neglect shall suffer any such prisoner to escape; or shall connive at the plunder or injury of property in time of war, or the plunder or injury of treasure, or of a Magazine or Dock Yard, by the sentry or guard in whose charge such property, or treasure, or Magazine, or Dock Yard is placed;—or

ARTICLE 21.

Who being a sentry placed over any State prisoner, or over treasure, or over a Magazine or Dock Yard, shall quit his post without being regularly relieved, or without leave; or shall sleep upon his post; or shall plunder or injure the property placed under his charge;—

Shall, if an Officer, on conviction, suffer death or transportation for life or such other punishment as by a General Court Martial shall be awarded.

And, if a Soldier, shall on conviction suffer death or transportation for life; or imprisonment, with or without hard labor, for life or for any term of years, and with or without solitary confinement, or such other punishment as by a General Court Martial shall be awarded.

*Crimes punishable by General or other Courts Martial with any Sentence which by these Articles of War any General or other Court Martial respectively is empowered to award.*

ARTICLE 22.

Any Officer who shall behave in a manner unbecoming the character of an Officer (the fact or facts whereon the charge is grounded being clearly specified therein);—or

ARTICLE 23.

Any Officer or Soldier who shall in operations in the field spread reports by words or letters calculated to create unnecessary alarm in the troops, or in the vicinity, or in rear of the Army;—or

ARTICLE 24.

Who shall, in action or previously to going into action, use words tending to create alarm or despondency;—or

ARTICLE 25.

Who shall be drunk when on or for duty or on Parade, or on the Line of march;—or

ARTICLE 26.

Who shall strike or force any sentry;—or

ARTICLE 27.

Who shall advise or persuade any other Officer or Soldier to desert, or who shall connive at such desertion; or who shall knowingly receive and entertain any deserter, and shall not immediately on discovery give notice to his Superior Officer, or shall not cause such Deserter to be apprehended by the Civil power;—or

ARTICLE 28.

Who shall obtain or attempt to obtain for himself, or for any Officer or Soldier, or for any other person whatsoever, any pension or allowance, by any false statement, certificate, or document, or by the omission of the true statement, or certificate, or document;—or

ARTICLE 29.

Who shall knowingly make a false return or report to any his Superior Officer authorized to call for a return or report of the state of the men under his command, or arms, ammunition, clothing, or other stores thereunto belonging, or of which he may have charge;—or

ARTICLE 30.

Who, at any post, or on the march, shall illegally and against the will of the parties, extort money or property of any description as fees or duties, or on any pretence whatever; or shall, without authority, exact from villagers, or others, carriage, portage, or provisions;—or

ARTICLE 31.

Who shall wantonly and intentionally defile any place dedicated to religious worship, or shall wantonly and intentionally insult the religious prejudices of other persons;—or

ARTICLE 32.

Who, being under arrest or in confinement, shall leave his arrest or confinement before he is set at liberty by competent authority;—or

ARTICLE 33.

Who shall without orders, commit any waste, or spoil, or plunder, or shall injure or destroy any property;—or

ARTICLE 34.

Who shall knowingly enlist a deserter, or connive at his enlistment;—or

ARTICLE 35.

Who, directly or indirectly, shall require or accept a bribe, present, or gratification, on the pretence of, or as a consideration for procuring leave of absence, promotion, or any other advantage or indulgence for any Officer or Soldier;—or

ARTICLE 36.

Who, being in command of any post, or on the march, on complaint made to him of any person under his command beating or otherwise ill-treating any person, or extorting from him more than he is obliged to furnish by authority, or disturbing fairs or markets, or committing any kind of riot, shall not see reparation done to the party or parties injured; or, if that be impracticable, shall not report the same to his Superior Officer;—or



ARTICLE 37.

Who, being in command of a guard, shall refuse to receive any prisoner duly committed to his charge; or shall without proper authority release any prisoner, or shall suffer, through carelessness or neglect, any prisoner to escape;—or

Those in command of guard refusing to receive prisoners, &c.

ARTICLE 38.

Who shall quit his guard, or picquet, in time of peace, without being regularly relieved or without leave;—or

Quitting guard or picquet in time of peace.

ARTICLE 39.

Who shall impede the Provost Marshal or his Assistants or any other Officer or person legally exercising authority; or refuse to assist him when requiring his aid in the execution of his duty;—or

Impeding Provost Marshal, &c.

ARTICLE 40.

Who, being on leave of absence, shall have neglected to receive information from the Head Quarters of his Regiment, or from other competent authority, that his Regiment has been ordered on service, and shall not rejoin without delay;—or

Those on leave of absence neglecting to rejoin their Regiment when ordered on service.

ARTICLE 41.

Who, in the time of peace, shall, by discharging fire-arms, drawing swords, beating drums, or by any other means whatever, intentionally occasion false alarm in camp, garrison, or cantonment;—or

False alarm in camp in time of peace.

ARTICLE 42.

Who shall fail to repair, at the time fixed, to the parade, or place appointed for exercise or duty, if not prevented by sickness or some other sufficient cause;—or

Failure to attend parade, &c.

ARTICLE 43.

Who shall, without urgent necessity, or without leave of his Superior Officer, quit his company, or troop, or the parade;—or

Quitting company or parade without leave.

ARTICLE 44.

Who shall absent himself without leave; or shall, without sufficient cause, overstay the period for which leave may have been granted him;—or

Absence without leave &c.

ARTICLE 45.

Any Officer or Non-Commissioned Officer who shall strike or otherwise ill-treat any Soldier;—or

Striking or ill-treating a Soldier.

ARTICLE 46.

Any Soldier who shall be grossly insubordinate or insolent to his Superior Officer in the execution of his office;—or

Insubordination.

ARTICLE 47.

Who, being on actual service, shall refuse to assist in making field works;—or

Refusal to assist in making field works when on actual service.

ARTICLE 48.

Who shall, contrary to orders, when off duty, appear in or about camp or cantonments, or on occasion of visiting towns or bazars, carrying a sword, bludgeon, or other weapon;—or

Going armed contrary to orders.

ARTICLE 49.

Who shall sell, pawn, or designedly or through neglect lose or injure his horse, arms, clothes, accoutrements, or Regimental necessaries; or any of the above articles entrusted or belonging to any other Soldier; or who shall make away with or pawn any medal or decoration granted to him by order of Her Majesty or of the late East India Company or by order of the Government, for service in the field or for general good conduct;—or

Pawning, losing, or injuring horse, arms, accoutrements &c.

ARTICLE 50.

Any sentry who in time of peace shall sleep upon his post; or shall leave it before regularly relieved or without leave;—or

Sentry in time of peace sleeping upon post &c.

ARTICLE 51.

Any Soldier who shall be found two miles from the camp contrary to orders;—or

Soldier found two miles from camp contrary to orders.

ARTICLE 52.

Who shall, contrary to orders, be absent from his cantonment after tattoo, or from camp after retreat beating;—or

Absence from cantonment, &c.

ARTICLE 53.

Who shall sell, lose, or designedly, or through neglect, waste the ammunition delivered out to him;—or

Selling, losing, or wasting ammunition.

Shall, on conviction before a General or other Court Martial, be sentenced to suffer such punishment as any such Court Martial is by these Articles empowered to award.

ARTICLE 54.

All crimes not capital, and all disorders or neglect which Officers or Soldiers may be guilty of, to the prejudice of Good Order and Military Discipline, though not specified in these Articles, are to be taken cognizance of by Courts Martial, and to be punished according to the nature and degree of the offence, by the Sentence of a General, or District, or Garrison, or Regimental Court Martial.

Crimes not specified.

*Embezzlement; punishable by General Court Martial with Dismissal, Fine, and Imprisonment with or without hard labor, and with or without solitary confinement, of Officers and Soldiers.*

ARTICLE 55.

Any Officer or Soldier who shall embezzle or fraudulently misapply any money entrusted to him on the Public account, or for any Military purpose; or any provisions, Forage, Arms, Clothing, Ammunition, or Military Stores, of whatever kind or description, the property of Government, entrusted to his charge; or who shall wilfully spoil such property, or suffer it to be spoiled, or shall be

Embezzlement.

concerned in or connive at any such embezzlement or fraudulent misapplication :—

Shall, on conviction before a General Court Martial, be dismissed the Service, and fined to the extent of his arrears of Pay and Allowances; and be further liable to suffer Imprisonment with or without hard labor for a term which may extend to three years, and with or without Solitary Confinement.

*Disgraceful Conduct ; punishable by General or District Court Martial, with Corporal Punishment or Imprisonment with or without hard labor and solitary confinement, and in addition with Forfeiture of additional Pay and of Pension on Discharge, and Stoppages, of Non-Commissioned Officers and Soldiers.*

ARTICLE 56.

*Disgraceful conduct.* Any Soldier who shall be guilty of *Disgraceful conduct* ;—

In wilfully maiming or injuring himself, or any other Soldier at the instance of such Soldier, with intent to render himself or such Soldier unfit for the Service, or with intent to take his own life ;—or

*Wilfully maiming or injuring himself or another Soldier.*

In malingering, feigning, or intentionally producing disease or infirmity ; or intentionally delaying his cure ; or intentionally aggravating his disease or infirmity ;—or

*Stealing or selling Government stores.*

ARTICLE 58.

In purloining or selling Government Stores ;—or

ARTICLE 59.

In stealing money or goods, the property of a Soldier, or of a Military Officer, or of any Military Mess, or of any person or persons belonging to or serving with or attached to the Army ;—or

*Stealing property of Soldiers and others.*

ARTICLE 60.

In plundering or injuring property placed under his charge as Sentry, or in charge of his Guard, or in conniving at the plunder or injury of such property ;—or

*Plundering property under his charge as sentry, &c.*

ARTICLE 61.

In embezzling or fraudulently misapplying Public money entrusted to him for any Military purpose ;—or

*Embezzling public money.*

ARTICLE 62.

In committing any petty offence of a fraudulent or dishonest nature, to the injury of or with intent to injure the Government, or any person, Civil or Military ;—or

*Fraud or dishonesty.*

ARTICLE 63.

Who shall be guilty of any other *Disgraceful Conduct*, being of a cruel, indecent, or unnatural kind ;—

*Cruelty, indecency &c.*

Shall, on conviction before a General or District or Garrison Court Martial, be liable to suffer such punishments as any such Courts Martial are by these Articles of War respectively empowered to award for *Disgraceful Conduct*.

*Punishments.*

And every such offender shall, if not dismissed the Service, further be put under Stoppages, by Sentence of the Court, not exceeding half of his monthly Pay and Allowances, until the amount be made good of any loss or damage arising out of his misconduct.

And if such offender shall be dismissed the Service, he shall further be sentenced to forfeit his arrears of Pay and Allowances due at the time of his discharge, towards making good any loss or damage arising out of his misconduct, or in such proportion as may be required to make good such loss or damage.

*Crimes incident to Courts Martial ; punishable by General or other Court Martial according to the nature and degree of the offence.*

ARTICLE 64.

Any person amenable to these Articles of War, who, when duly summoned before a Court Martial, shall not attend, or shall refuse to be sworn, or to make affirmation, or to answer any lawful question, or who shall induce any other person so to offend ;

Shall be sentenced by the same or another Court Martial, to such punishment as any Court Martial is by these Articles respectively empowered to award.

ARTICLE 65.

Any person not amenable to these Articles of War, who, having been summoned before any Court Martial, shall refuse or neglect to attend ; or who, attending, shall refuse to be sworn, or to make affirmation, or to answer any lawful question ; or shall give such testimony as if given in a Criminal Court would render him guilty of perjury ; or who shall induce any other person so to offend ;

Shall be delivered to a Magistrate to be proceeded against according to Law.

ARTICLE 66.

Any person using menacing or disrespectful words, signs, or gestures, in the presence of a Court Martial then sitting, or causing any disorder or riot so as to disturb their proceedings, or being grossly insubordinate or violent in the presence of a Court Martial ;

Shall be punished according to the condition of the offender and the nature and degree of his offence, by the sentence of the same or another Court Martial, if he be amenable to these Articles of War ; and if not amenable to these Articles of War, the offender shall be delivered over to the Magistrate to be proceeded against according to Law.

*Perjury ; punishable by General or District Court Martial with dismissal and fine or Imprisonment.*

ARTICLE 67.

Any Officer or Soldier who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any General or other Court Martial, or any Military Court entitled to administer an oath ; or of inducing any other person so to offend ;

*Perjury.*

Shall be dismissed the Service, and shall be further subject to Fine to the amount of his arrears of Pay and Allowances, or to Imprisonment which may extend to three years;—according to the Sentence of a General, or District, or Garrison Court Martial.

#### ARTICLE 68.

Whereas it may be advisable that some of the offences which by the foregoing Articles are directed to be tried by a General or District or Garrison Court Martial, should, in certain cases which admit of less serious notice, be tried by District or Garrison or Regimental Courts Martial—in such cases the Officer Commanding the Regiment or Corps to which the offender belongs may, if he thinks it expedient and for the good of the Service, order the offender to be tried by Regimental Court Martial, for any offence ordinarily cognizable by District or Garrison Court Martial; making however a report in every such case, for the information of the General Officer Commanding the Division, of the reasons of his having so proceeded; or such Commanding Officer may lay a particular statement of the case before the General or other Officer having authority to convene General or District or Garrison Courts Martial, under whose command such offender may be serving, with an application for permission to try the offender by District or Garrison or Regimental Court Martial; and such General or other Officer will exercise his discretion in complying or not with such application; but the permission of such General or other Officer so to proceed, shall be entered upon the proceedings at the trial of such offender;

Provided that Mutiny shall not be considered one of the offences admitting of such discretionary investigation.

#### ARTICLE 69.

For offences committed on the line of march, or on board any ship or other vessel, the Officer in the Command of the Troops is hereby authorized to try any Soldier by a Regimental or Detachment Court Martial, and to confirm and execute the sentence on the spot.

Provided that such sentence shall in no case exceed that which a Regimental Court Martial is competent to award;—and that the proceedings held in all such cases shall be transmitted for the information of the Commander-in-Chief.

### SECTION III.

#### Administration of Justice.

#### ARTICLE 70.

Whenever any Officer or Soldier shall commit a crime deserving punishment, by Court Martial, he shall, by his Commanding Officer, be put under arrest, if an Officer or Non-Commissioned Officer; or if a Soldier, be confined; until he shall be either tried by a Court Martial, or shall be lawfully discharged by a proper authority; and no Officer or Soldier who shall be put in such arrest or confinement shall continue in his confinement longer than may be actually unavoidable.

And such process of arrest or confinement, or an attempt to effect such process, shall in no case be omitted where it may be practicable; but where resist-

ance may be made, or from other circumstances such process may be impracticable, the offender or offenders shall be liable to trial and punishment at any subsequent period, within the limitations provided in these Articles of War.

#### ARTICLE 71.

No person shall be liable to be tried or punished for any offence against these Articles, which shall appear to have been committed more than three years previous to the order directing the assembly of the Court Martial whereby he is to be tried unless the person accused, by reason of his absconding himself, or some other manifest impediment, shall not have been amenable to justice within that period; in which case such person shall be liable to be tried at any time not exceeding two years after the impediment shall have ceased.

#### ARTICLE 72.

Any person amenable to these Articles of War, who may commit any offence against the same, may be tried and punished for such offence in any place within the British Territories, or elsewhere, where he may have come after the commission of the offence, in the same manner as if the offence had been committed where such trial shall take place.

#### ARTICLE 73.

The Commander-in-Chief at the Presidencies of Fort William, Fort St. George, and Bombay respectively for the time being, may appoint General or other Courts Martial, and confirm, and mitigate or commute, or remit the sentence of such Courts; and may issue his Warrant to any General or other Officer having the Command of a Body of Troops in the Service of Her Majesty, empowering such Officers to appoint General, or District, or Garrison Courts Martial as occasion may require, for the trial of offences committed by any of the Officers or Soldiers, or Followers in the Service of Her Majesty, not being British born subjects of Her Majesty; and to confirm and mitigate, or commute, or remit the Sentences of such Court Martial. Provided that in case of any Sentence, including Forfeiture of additional Pay or of Pension on Discharge, or of any prospective advantage, such Sentence shall not be carried into effect until confirmed by the Commander-in-Chief; and all Forfeitures of any present or prospective advantage shall be restorable by the same authority.

#### Composition of Courts Martial.

#### ARTICLE 74.

A General Court Martial shall not consist of less than thirteen Commissioned Officers, unless it be held out of the British Territories, where such Court Martial may consist of seven Commissioned Officers, if a greater number cannot be conveniently assembled. And no Sentence of a General Court Martial shall be put in execution until after a report shall have been made of the whole proceedings to the Commander-in-Chief, or to some other person duly authorized to confirm the same, and until his directions shall have been signified thereupon.

ARTICLE 75.

**A District or Garrison Court Martial shall consist of not less than seven Commissioned Officers, except in situations where that number cannot be conveniently assembled, when such Court may consist of not less than five Commissioned Officers. And such District or Garrison Court Martial may be composed of Officers of the same Regiment, and shall be assembled in conformity with the orders of the Commander-in-Chief.**

And the Sentences of a District or Garrison Court Martial shall be confirmed by the Commander-in-Chief, or by some Officer duly authorized to confirm the same.

ARTICLE 76.

**A Regimental Court Martial shall consist of not less than five Commissioned Officers, (unless it be found impracticable to assemble that number, when three may be sufficient;) and shall be assembled by order of the Officer Commanding the Regiment. And no Sentence of a Regimental Court Martial shall be of force until the Commanding Officer shall have confirmed the same. Provided that such Commanding Officer shall have power to remit all Sentences whatever passed by such Court, and thereupon to cause the offender to be released and to return to his duty.**

*Powers of Court Martial.*

ARTICLE 77.

**A General Court Martial may sentence any Officer or Soldier to Death or Transportation, or any Soldier to Imprisonment for Life, or for any term of years, for any crimes which are by these Articles of War expressly made liable to any such Sentence, and for such crimes only. Provided that no Court Martial inferior to a General Court Martial shall have power to pass a Sentence of Death or Transportation or Imprisonment for Life.**

*Punishments of Commissioned Officers.*

**A General Court Martial may sentence a Commissioned Officer to be dismissed the Service; or to be suspended from Rank and Pay and Allowances for a stated period; or to be placed lower in the list of his Rank, by an alteration of the date of his Commission, thereby losing the corresponding benefit or length of service; and the Court shall specify the extent of such reduction: Provided that no Court Martial inferior to a General Court Martial shall have power to try a Commissioned Officer.**

*Punishments of Non-Commissioned Officers and Soldiers.*

**A General or District or Garrison or Regimental Court Martial, may sentence a Non-Commissioned Officer to be reduced to the Ranks: or may sentence any Non-Commissioned Officer or Soldier to be dismissed the Service;—or to be placed lower in the list of the Rank which he holds (which shall**

**involve the forfeiture of the corresponding length of service), the extent of such reduction to be specified in the sentence of the Court;—or to suffer Corporal Punishment not exceeding fifty Lashes;—or Imprisonment with or without hard labor;—and to be kept in Solitary Confinement for any portion or portions of such Imprisonment, not exceeding fourteen days at a time nor eighty-four days in any one year, with intervals between the periods of Solitary Confinement of not less duration than such periods of Solitary Confinement. Provided that no Soldier shall be kept in Solitary Confinement more than eighty-four days in any one year, whether by the Sentences of one or more Courts Martial, or by order of the Commanding Officer. Provided also that no Sentence of Imprisonment shall be awardable by General Court Martial for any period exceeding two years (except when otherwise expressly provided); nor by a District or Garrison Court Martial for any period exceeding one year; nor by a Regimental Court Martial for any period exceeding six calendar months; and that no Non-Commissioned Officer shall be sentenced to Imprisonment or Corporal Punishment without being first reduced to the Ranks.**

*Punishment of "Disgraceful Conduct."*

**And a General or District or Garrison Court Martial may, in addition either to Corporal Punishment or to Imprisonment, sentence a Soldier convicted of Disgraceful Conduct to forfeiture of all advantage as to additional Pay and to Pension on discharge, which might have otherwise accrued from the length or nature of his former service; or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case. Provided that no Soldier shall be tried for Disgraceful Conduct by any Court Martial inferior to a District or Garrison Court Martial.**

**And a General or other Court Martial may, in addition to the punishment of Dismissal, sentence any Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required, to make good any loss or damage arising out of his misconduct:—And in addition to any punishment not involving Dismissal from the Service, may sentence any Officer or Soldier to be put under stoppages not exceeding two-thirds of his Pay and Allowances in the case of an Officer, and not exceeding half of his Pay and Allowances in the case of a Non-Commissioned Officer or Soldier, until the amount of such loss or damage be made good.**

**Every Soldier subject to Confinement in the Quarter-Guard, or Defaulters' Room, or in a Solitary Cell, or in any other place appointed for Imprisonment under Military custody, shall forfeit all claim to Pay and Allowances during such Confinement, whether under the Sentence of a Court Martial or of the Commanding Officer, and shall receive subsistence only, according to the rates laid down in the Regulations.**

ARTICLE 78.

Whenever Sentence shall be passed by a Court Martial on an offender already under sentence of Imprisonment, the Court may award Sentence of Imprisonment for the offence for which he is under trial, to commence at the expiration of the Imprisonment to which he shall have been so previously sentenced, although the aggregate of the terms of Imprisonment respectively may exceed the term for which Imprisonment could otherwise be awarded.

Confirmation and Commutation of Sentences.

ARTICLE 79.

In cases where a Sentence of Death shall have been awarded by a General Court Martial, the Commander-in-Chief may confirm such Sentence and cause it to be carried into effect; or may in lieu thereof order the offender, if an Officer, to be transported for Life or to be imprisoned for any term of years; and if a Soldier, to be transported for Life or to be imprisoned with or without hard labor for Life or for any term of years, and with or without Solitary Confinement.

In cases wherein a Sentence of Transportation has been awarded by a General Court Martial, the Commander-in-Chief may in lieu thereof order the offender, if an Officer, to be imprisoned for any term of years; and if a Soldier, to be imprisoned with or without hard labor and with or without Solitary Confinement for any term of years.

In lieu of a Sentence of Dismissal, in the case of an Officer, the Commander-in-Chief may order the offender to be suspended from Rank and Pay and Allowances for a certain period to be distinctly specified by the Commander-in-Chief.

Any Officer having authority to confirm the Sentence of a Court Martial, may commute a Sentence of Corporal Punishment to Dismissal from the Service, or to Imprisonment without hard labor not exceeding one year, and with or without Solitary Confinement;—or may commute a Sentence of Imprisonment with hard labor to Imprisonment without hard labor and with or without Solitary Confinement, for the same or for a less period,—or to Dismissal from the Service.

And a Non-Commissioned Officer sentenced to Corporal Punishment, or to Imprisonment with hard labor, or to Dismissal, may in lieu of any such Sentence be reduced to the Ranks, or placed lower in the list of the Rank which he holds, which shall involve the corresponding forfeiture of service.

ARTICLE 80.

The Commanding Officer for the time being of any Native Regiment may summarily try all offences against these Articles of War committed by any person subject to those Articles (not being a Commissioned Officer,) and Sentence such offender on conviction, and carry out such Sentence without confirmation or any further authority, notwithstanding any

provision to the contrary contained in the said Articles of War; provided that such Sentence shall not exceed the powers of a District or Garrison Court Martial.

A Commanding Officer holding a trial under this Article shall be deemed a Court Martial, and the word "Court Martial" in these Articles of War, so far as such Articles are applicable to persons amenable thereto, shall be deemed to include a Commanding Officer holding a trial.

The proceedings on such summary trials by a Commanding Officer shall be conducted in the presence of two or more European or Native Commissioned Officers, and shall be recorded in the English language, and the evidence shall be taken on oath or affirmation and interpreted by a competent Interpreter upon solemn affirmation; and when the Commanding Officer shall have recorded the Finding and Sentence, the proceedings shall be signed by such Commanding Officer and by the Officers in whose presence the trial was held, and shall, without delay, be forwarded to the General Officer Commanding the Division, who is hereby authorized to set aside the trial for reasons based on the merits of the case, but not of a merely technical nature; provided that every Sentence so awarded by the Commanding Officer may be carried out without waiting for its approval by the reviewing Officer.

ARTICLE 81.

An Officer Commanding any Detachment of his own Regiment may assemble Regimental Detachment Courts Martial;—and an Officer Commanding a Detachment consisting of men of different Corps may assemble Detachment or Line Courts Martial;—and all such Courts shall be constituted in the same manner as Regimental Courts Martial under the provisions of these Articles of War, and shall have the like powers.

And the provisions of these Articles of War relating to Courts Martial held in Regiments, shall be taken to apply to Courts Martial held in Detachments, in all practicable cases.

Provided that no Officer on detached Command of less than three Troops or Companies, or of Detachments numerically equal to three Troops or Companies, and not being on the line of march or on board any Ship or other Vessel, shall carry into effect any punishment awarded by a Court Martial held by his order, until the Sentence shall have been confirmed by the Officer Commanding the Regiment to which the offender belongs, or by the nearest Superior Officer holding a Command of not less than a Regiment;—(who is hereby authorized to confirm the same, in like manner as an Officer Commanding a Regiment is empowered to do,) except in detached situations beyond Sea or out of the British Territories, or when on Service in the Field, or in cases where an immediate example is necessary and reference cannot be made to such Commanding or Superior Officer without detriment to the Service; when the Officer Commanding such Detachment may exercise the powers which are vested in an Officer Commanding a Regiment.

The Commanding Officer of such Detachment; and the Commanding Officer of any European Detachment to which Native details of less strength than three Troops or Companies are attached; and Commissaries of Ordnance or other Officers in

charge of Arsenal, Ordnance Establishments, and Camp Equipage Depôts; may summarily try all offences against these Articles of War, committed by any person subject to these Articles (not being a Commissioned Officer), and sentence such offender on conviction, and carry out such Sentence without confirmation or any further authority, provided that such Sentence shall not exceed the powers of a Regimental Court Martial.

And such Commanding Officer or other Officer holding a trial under this Article shall be deemed a Court Martial, and the word "Court Martial" in these Articles of War, as far as such Articles are applicable to persons amenable thereto, shall be deemed to include such Commanding Officer or other Officer holding a trial.

The proceedings on such summary trial by such Commanding Officer or other Officer shall be conducted, so far as may be practicable, and shall be recorded, in the same manner as is provided in Article 78 for summary trials by Officers Commanding Regiments, and shall in like manner be signed and forwarded to the General Officer Commanding the Division within which such Detachment may be at the time, who is hereby authorized to set aside the trial for the same reasons that a General Officer Commanding a Division is authorized by Article 78 to set aside a trial by an Officer Commanding a Regiment; provided that every Sentence so awarded by the Officer Commanding such Detachment or other Officer holding a trial under this Article may be carried out without waiting for its approval by the reviewing Officer.

#### ARTICLE 82.

In cases of light offences, a Commanding Officer may, without the intervention of a Court Martial, award Punishment of light offences. Extra Drill; restriction to Barrack limits, or within the Lines of the Regiment or Camp; confinement in the Quarter Guard or Defaulters' Room, or in a Solitary Cell; removal from Staff situations or acting appointments; or may order Soldiers to be employed in piling and unpling shot, and in cleaning accoutrements of men in Hospital; but none of these descriptions of punishments shall be awardable by Sentence of a Court Martial. Provided that Soldiers in confinement shall be liable to be ordered to attend ordinary Drill.

Provided also, that the Commander-in-Chief shall prescribe the periods for which offenders shall be liable to Drill or confinement or restriction to local limits, as authorized in this Article.

#### ARTICLE 83.

For any offence in breach of the authorized Rules and Regulations of any Cantonment, the Commanding Officer of the Cantonment may sentence the offender (provided he be not a European British subject or a European or Native Officer or Soldier), notwithstanding he may not be amenable to any Articles of War and not be under the Military Command of such Commanding Officer, to pay a fine not exceeding Rupees; and in default of payment of such fine and in lieu thereof to Imprisonment for any period not exceeding days; and the Officer in charge of any Jail shall give effect to such Sentence of Imprisonment, on the receipt of a Warrant under the hand of the Officer Commanding the Cantonment

requiring him so to do, and of the person of the offender.

#### ARTICLE 84.

For any offence in breach of good order, a Commanding Officer may sentence any Follower of the Corps or Detachment under his Command to Imprisonment for any period not exceeding seven days, or, if the offender be not of a degree superior to that of a menial Servant, to undergo Corporal Punishment not exceeding twelve strokes of a Rattan, or if of the above excepted superior degree, to fine not exceeding Rupees.

#### *Execution of Sentences of Courts Martial.*

#### ARTICLE 85.

In every Sentence of Death awarded by a General Court Martial, the Sentence of Death. Court shall specify that the offender shall "suffer Death by being hanged by the neck until he be dead," or "by being shot to Death," as the Court in their discretion shall deem expedient, and such Sentence, if confirmed, shall be carried into effect accordingly.

#### ARTICLE 86.

Whenever the Sentence of a General Court Martial shall adjudge Transportation, or Sentence of Death shall be commuted by competent authority to Transportation, any of the Sudder Courts shall give effect to such Sentence, on the same being certified to the Court under the authority of the Commander-in-Chief.

And whenever any Sentence of a Court Martial shall adjudge Imprisonment with hard labor or solitary confinement, with hard labor, or with Solitary Confinement, or both, or whenever the Sentence of a Court Martial shall be commuted to any such Imprisonment, it shall be the duty of every Judge, Magistrate, Sheriff, or other Officer in charge of a Jail, to give effect to such Sentence, on the offender being delivered into his custody, and on being furnished with a copy of the Sentence by the Officer Commanding the Station, or Regiment, or Detachment, within which the trial is held.

#### ARTICLE 87.

Whenever any Soldier shall be sentenced to Imprisonment for life, or a Sentence of Death shall be commuted to Imprisonment for life, it shall be lawful for the Commander-in-Chief to order such offender to be Transported beyond Sea for life, and such order shall thereupon be made unless there should be special reasons inducing the Commander-in-Chief to think such Prisoner not a proper subject for Transportation.

#### ARTICLE 88.

Persons sentenced to Imprisonment by Courts Martial shall be imprisoned in any Public Prison or in any other fit place which the Commander-in-Chief shall from time to time direct.

#### ARTICLE 89.

Every Soldier sentenced to Imprisonment with hard labor, shall, previous to Dismissal from Service, be struck off the strength of the Corps from the date of confirmation of such



Sentence; and no Soldier who has undergone such punishment for any period shall be capable of being re-admitted in the Ranks, or of receiving Pension on Discharge.

ARTICLE 90.

Dismissal] with Offenders sentenced to Dismissal for *Disgraceful Conduct*; ignominy.

And offenders sentenced to Corporal Punishment, or to Imprisonment with hard labor for *Disgraceful Conduct*—shall, on any such Sentence being confirmed, be dismissed with ignominy.

ARTICLE 91.

In every case wherein a Fine or Forfeiture of Stoppage of Pay, arrears of Pay, or Stoppages, shall be adjudged by a Court Martial, any Pay or public money due to the offender, or that may become due to him, shall be available, with the sanction of the Commander-in-Chief, for the payment of the amount so adjudged.

And no Soldier sentenced to pay a Fine or to Stoppages to make good any loss or damage arising out of his misconduct, shall be continued under Forfeiture or Stoppages under any one such Sentence for any period exceeding one year; and no Soldier shall be at any one time placed under Forfeiture or Stoppages exceeding in the whole the amount of half his Pay and Allowances, nor be liable to be put under Stoppages prospectively while actually under Stoppages to the amount of half of his Pay and Allowances.

Form of Proceeding.

ARTICLE 92.

Trials by Courts Martial may be carried on between the hours of six in the morning and four in the afternoon, and not otherwise, except in cases which may require an immediate example.

ARTICLE 93.

At General Courts Martial a Judge Advocate, or an European Officer of not less than ten years' service, shall be appointed to conduct the proceedings.

At all Courts Martial inferior to General, an European Officer of not less than four years' standing in the Service, (except in cases where no Officer of that standing may be available,) or the Adjutant of the Regiment, shall be appointed to conduct the proceedings.

ARTICLE 94.

An Interpreter shall be appointed to all Courts Martial; and any Interpreter or other competent person available at the Station where the Court Martial may sit shall be appointed as occasion may require by the Officer Commanding at such Station, on application from the Judge Advocate or Superintending Officer at such Court Martial. But in situations where the services of an Interpreter or other competent person are not available, the Superintending Officer at the Court Martial shall perform the duty of Interpreter.

ARTICLE 95.

At all Courts Martial the Senior Officer shall sit as President without being so appointed by Warrant. Provided that all Rissaldar Majors and Subadar Majors are to take precedence according to the dates of their Commissions, and above all Native

Officers holding the rank of Subadar or Rissaldar; and that Sirdar Bahadoors and Bahadoors shall rank only according to their respective Commissions of Rissaldar Major, Subadar Major, Rissaldar, Subadar, or Jemadar. Rissaldars and Rissaldars will take rank with Subadars, and Naib Rissaldars with Jemadars, according to the dates of their respective Commissions.

In case of the death or unavoidable absence of the President, the next Senior Member shall take the place of President, and the trial shall proceed, provided that the Court shall still consist of at least the number of Members of which such Court is directed to consist by these Articles of War.

ARTICLE 96.

No Finding or Sentence of a Court Martial shall be revised more than once, and no evidence shall be received on such revision. For the purpose of such revision the President and all the Members shall be convened if possible. But if any of them should be unavoidably absent, the remaining Members may proceed with such revision, provided they are not fewer than the smallest number directed in these Articles respectively. When all the same Members do not meet, the circumstances are to be duly certified on the face of the proceedings.

ARTICLE 97.

All the Members of a Court Martial are to preserve order, and in giving their votes upon all matters are to begin with the youngest; and in all cases where a Sentence of Death may not be awarded, the decision shall be by the majority of Members present, provided the number of Members present be not less than that required by the preceding Articles; but in case of an equality of votes, the decision shall be in favor of the Prisoner; the President at a Court Martial shall vote with the other Members, but shall have no casting vote. Provided that in cases of an equality of votes upon other questions than the Finding and the Sentence the President shall have a casting vote.

ARTICLE 98.

No Sentence of Death shall be given against any offender by a Court Martial, unless two-thirds of the Members present concur therein, or four where the Court consist of five Members, or five where the Court consist of seven.

ARTICLE 99.

On the assembly of a Court Martial, the Judge Advocate or Superintending European Officer shall administer to the Interpreter the following Solemn Affirmation:—

"I, A. B., solemnly affirm in the presence of Almighty God, that I will faithfully interpret and translate the proceedings of the Court, and that I will not divulge the Sentence until it shall have been published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or Court Martial, in due course of Law."

In case of the unavoidable absence of an Interpreter, the European Superintending Officer of a

Court Martial inferior to General, shall make the Solemn Affirmation prescribed for the Interpreter.

The Judge Advocate or Superintending Officer shall then cause the following Solemn Affirmation to be made by each Member:—

**Member's Affirmation.**  
 "I, A. B., solemnly affirm in the presence of Almighty God, that I will duly administer justice according to the Articles of War, without partiality, favor, or affection, and, if any doubt shall arise, then, according to my conscience, the best of my understanding, and the custom of War in the like cases; and that I will not divulge the Sentence of the Court until it shall be published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or a Court Martial in due course of Law."

The following Solemn Affirmation shall then be administered by the Interpreter to the Judge Advocate or Superintending Officer:—

**Judge Advocate's Affirmation.**  
 "I, A. B., solemnly affirm in the presence of Almighty God, that I will not upon any account whatsoever disclose or discover the vote or opinion of any particular Member of the Court Martial, unless required to give evidence thereof as a Witness by a Court of Justice or a Court Martial in due course of Law, and that I will not, unless it be necessary for the due discharge of my official duties, disclose the Sentence of the Court, until it shall be published by authority."

Provided that it shall be necessary to re-administer these Solemn Affirmations on the commencement of fresh trials before the same Court.

#### ARTICLE 100.

All persons who give evidence at a Court Martial are to be examined on Oath according to the forms of their respective religions or on Affirmation—and persons of the Hindoo or Mahomedan persuasion and other persons making Affirmation, shall make Affirmation to the following effect:—

"I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth."

And if any person making such Affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn would have amounted to perjury, every such offender shall be subject to the same punishment to which persons convicted of perjury are subject.

#### ARTICLE 101.

In all cases where persons required as Witnesses before a Court Martial, may not be amenable to Military Law, the Judge Advocate or Commanding Officer shall transmit to the Magistrate within whose jurisdiction the Witness may reside, his summons for the attendance of such person, and the Magistrate shall cause the Witness to be duly summoned.

**Summoning Witnesses not amenable to these Articles.**

#### ARTICLE 102.

If any Officer or Soldier subject to these Articles of War shall have been illegally absent from his duty for the space of two months, a Regimental Court of Enquiry composed of three Commissioned Officers, of whom all may be European or all Native, or one or more may be European and one or more Native, shall

Record in the Regimental Books of absence without leave and of the declaration of a Court of Enquiry thereon, to have the same effect as a conviction for desertion.

forthwith assemble, and having received proof of the fact on Oath or Solemn Affirmation, shall declare such absence and the period thereof; and the Officer Commanding the Corps shall enter a record of such absence, and of the declaration of such Court of Enquiry thereon in the Regimental Books; and if such Officer or Soldier shall not afterwards surrender or be apprehended, such record shall have the legal effect of a conviction for desertion, except as regards the person of the offender; and if such Officer or Soldier shall surrender or be apprehended after such record shall have been so entered, such record, or copy thereof purporting to bear the signature of the Officer having the custody of the Regimental Books, shall, on the trial of such Officer or Soldier on a charge for desertion, be admissible in evidence of the facts therein recorded; and on proof of the identity of the prisoner with the Officer or Soldier therein mentioned, he may be found guilty of desertion.

#### ARTICLE 103.

If, upon the trial of any Officer or Soldier subject to these Articles of War, for desertion, it shall be proved that such Officer or Soldier has been illegally absent without leave, or has overstayed his leave, for the space of

Proof of absence without leave for two months to be sufficient presumptive evidence of desertion.

two months, such proof shall be deemed sufficient presumptive evidence of the desertion of such Officer or Soldier, and shall be sufficient to convict him of the offence of desertion, unless he shall prove that such unauthorized absence was not wilful on his part, or shall otherwise rebut the presumption of desertion arising from proof of his absence without leave.

#### ARTICLE 104.

Whenever any such Officer or Soldier, upon his trial for desertion or absence without leave, shall state in his defence that his unauthorized absence was not wilful or that he was detained in his Village from sickness,

Reference to Government Officer as to the truth of statement concerning cause of absence.

or advance any other sufficient excuse for his absence, or any matter sufficient to rebut any presumptive evidence of desertion, and shall refer to any European Civil or Military Officer of Government in support of his statement; or if it shall appear to the Court Martial or the Commanding Officer exercising summary jurisdiction, that the truth or falsehood of such statement may be ascertained by reference to any such Civil or Military Officer of Government, it shall be the duty of the Court or Commanding Officer to address such Civil or Military Officer on the subject, and to adjourn their proceedings for the purpose; and the statement in reply, if favorable to the Prisoner, shall be admissible in evidence, and held to have the same effect as if the statement had

been made before the Court or Commanding Officer by such Civil or Military Officer in person on Oath or Solemn Affirmation. Should any Court before which a Prisoner is being tried be dissolved, prior to the receipt of the reply to any communication made under the above instructions to any Public Functionary, a fresh Court may be ordered, and the trial shall be commenced again before such Court, or before the Commanding Officer, as may be deemed most expedient.

#### ARTICLE 105.

For the prompt and instant repression of all irregularities and crimes which **Powers and Duties of Provost Marshals.** may be committed by Troops in the Field and on the Line of March, Provost Marshals shall be appointed by the Commander-in-Chief, and their powers shall be regulated according to the established usages of War and Rules of the Service; their duties are to take charge of Prisoners confined for offences of a general description; to preserve Good Order and Discipline; to prevent breaches of both by Soldiers and Followers of the Army, and to punish on the spot, on the same day, those whom they may find in the immediate act of committing breaches of Good Order and Military Discipline: Provided that the punishment be limited to the necessity of the case, and shall accord with orders which the Provost Marshals may from time to time receive from the Commander of the Forces in the Field; and that, whatever may be the crime, the Provost Marshal or his Assistant shall see the offender commit the act for which summary punishment may be inflicted; or if the Provost Marshal or his Assistant should not see the offender actually commit the crime, but that sufficient proof can be established of the offender's guilt, a report shall be made to the Commander of the Army in the Field, who is hereby empowered to deal with the case as he may deem most conducive to the maintenance of Good Order and Military Discipline. The duties of Provost Marshals being limited to the punishment of offenders whom they may detect in the actual commission of any crime, the General Commanding the Forces in the Field will cause them to exercise the powers entrusted to them in such manner and under such circumstances as he may consider best calculated to prevent and instantly to repress crimes injurious to the discipline of Her Majesty's Army and the Public Service.

#### ARTICLE 106.

At any Presidency where the Native Troops have hitherto been authorized to claim to be tried by European Courts Martial, every person amenable to these Articles of War, and who may be under orders for trial by a Court Martial, shall have the right to claim to be tried by European Officers; and should he make such claim, the Court, whether General, District, or Garrison, or Regimental, shall be composed of European Commissioned Officers, and the number of Members and the proceedings shall be governed in all respects by the provisions of these Articles.

And it shall be competent to the Governor General of India in Council by a General Order to authorize any Native Troops to claim to be tried in like manner by European Courts Martial.

Provided also that it shall be competent to the Governor General in Council, or to the Governor in Council of any Presidency, by an Order in

Council, to direct that Courts Martial may be composed of European Commissioned Officers; and whenever such Order shall be issued, the Commander-in-Chief at any Presidency shall make Regulations for convening such Courts Martial, the proceedings of which shall be regulated in every respect as directed in these Articles of War for Native Courts Martial.

### SECTION IV.

#### *Effects of the Dead.*

#### ARTICLE 107.

When any Officer or Soldier, or any person receiving Public Pay drawn by an Officer in charge of a Public Department belonging to the Army, may die, or be killed in the Service, the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, shall, if no Heir or Executor be present, secure his Effects, and direct an Inventory thereof to be taken, a duplicate of which is to be lodged in the Office of the Adjutant, or Officer in charge of the Department.

#### ARTICLE 108.

If there be no Heir or Executor on the spot, the effects are to be publicly sold; the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, after discharging the debts of the deceased, namely, the expense of Funeral Ceremonies, his Debts in Camp or Quarters, and Regimental Debts of every description, shall account for the residue to the Heir or Heirs declared by Will, whether written or verbal, or nominated in the Regimental Register, or in failure of such to the legal representative of the deceased; and in the event of no Executor, Heir, or other representative of the deceased attending and establishing his claim within twelve months from the date of the casualty, the amount in the hands of the Officer having charge of the Estate is to be remitted to the General Treasury at the Presidency.

### SECTION V.

#### *Miscellaneous.*

#### ARTICLE 109.

The Effects of Deserters are to be publicly sold, and the proceeds, after payment of Regimental Debts, remitted by the Officer Commanding the Corps to which the Deserter belongs, to the General Treasury at the Presidency, or appropriated according to the rules obtaining at such Presidency.

#### ARTICLE 110.

All powers and provisions contained in these Articles relating to the Commander-in-Chief shall be construed to extend to the Commander-in-Chief at any Presidency, and to the Officer Commanding the Forces for the time being at any Presidency, unless when otherwise provided.

All powers and provisions contained in these Articles relating to Soldiers, shall be construed

to extend to Non-Commissioned Officers, unless when otherwise provided.

ARTICLE 111.

When any portion of the Troops belonging to one Presidency, shall be serving within the limits of another Presidency, such Troops shall be considered as placed, during such service, under the orders and authority of the Commander-in-Chief or Commanding Officer of the Forces of the Presidency within which they are serving, for all the purposes of these Articles of War, in the same manner as though they belonged to such Presidency; and all the provisions of these Articles of War, which relate to the trial and punishment of offenders belonging to the Presidency within which the trial is held, are hereby declared applicable to the trial and punishment of offenders amenable to these Articles of War serving within such Presidency. Provided always that it shall be lawful for the Governor General in Council in his executive capacity, to direct that the Troops, or any part thereof, of any Presidency, whilst serving without the limits of such Presidency, shall continue under the orders and authority of the Commander-in-Chief, or Commanding Officer of the Forces of the Presidency to which they belong for all purposes of these Articles.

ARTICLE 112.

Any Officer Commanding any portion of Her Majesty's Troops which may at any time be serving in any place out of Her Majesty's Dominions, or of the Possessions or Territories which are or may be under the Government of India, or of the Territories of those States in alliance with the said Government in which Her Majesty's Forces are permanently stationed, shall, upon complaint made to him of any offence committed against the property or person of any inhabitant or resident in any such Countries, by any person serving with, or belonging to, Her Majesty's Army, being under the immediate Command of any such Officer, summon and cause to assemble a General Court Martial, which shall consist of not less than three Officers, for the purpose of trying any such person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts Martial; and every such Court Martial shall have the same powers in regard to summoning and examining Witnesses, trial of, and Sentence upon any such offenders as are granted by these Articles to General Courts Martial; provided that no Sentence of any such Court Martial shall be executed until the General Commanding-in-Chief the Army to which the Division, Brigade, Detachment, or Party to which any person so tried, convicted, and adjudged to suffer punishment shall belong, shall have approved and confirmed the same; except where such Sentence shall not exceed the powers granted by these Articles to a District or Garrison Court Martial, in which case the Officer by whom the Court is convened is hereby authorized to confirm or commute, or mitigate or remit the same; reporting the proceedings to the said General Commanding-in-Chief.

ARTICLE 113.

No person, being acquitted or convicted before a Court Martial, of any offence, shall be liable to be tried a second time by the same or any other Court Martial for the same offence.

Provided always that when any person subject to these Articles of War shall have been found guilty by a Court Martial of any Military offence, such Court Martial shall inquire into and receive evidence of any previous conviction of such person before a Court Martial or a Court of Justice, and shall enquire into the general character of such person being a Soldier, for the purpose of affixing the punishment to which he is liable to be sentenced for the offence of which he has been so found guilty.

Provided that no such evidence shall in any case be received until the Court shall have ascertained that such person had previously to his trial received notice of the intention to produce such evidence on the same. And it is hereby directed that such notice shall be given to all persons previous to trial.

ARTICLE 114.

Any Officer or Soldier, thinking himself wronged by his Superior or other Officer, is to complain thereof to the Commanding Officer of his Troop or Company, by whom if the grievance be not redressed, such Officer, Non-Commissioned Officer, or Soldier, may complain to the Commanding Officer of his Regiment, who is hereby required to examine into such complaint, or remit it to his superior authority as the circumstances may require; but if the complaint should appear to be frivolous or groundless, the party preferring it shall be liable to be punished according to the Sentence of a General or other Court Martial; provided that such offender shall not be liable to be sentenced to Dismissal nor to suffer Corporal Punishment or Imprisonment with hard labor.

ARTICLE 115.

Any Officer or Soldier, who shall be taken Prisoner by the Enemy, shall forfeit all claim to Pay and Allowances during the period of his remaining a Prisoner and until he shall again return to the Service; when, if he can establish, before a Court Martial, that he was unavoidably taken Prisoner in the course of service, and resisted as long as he was able, and that he hath not served with or assisted the Enemy, and that he hath returned as soon as possible to the Service, he shall be entitled to receive either the whole or such portion of his arrears of Pay and Allowances as the Government of the Presidency to which he may belong shall determine, after the Opinion or Finding of such Court Martial shall have been confirmed by the Commander-in-Chief. And every Officer or Soldier in imprisonment under the Sentence of a Court Martial, or a commuted Sentence, or under the Sentence of a Court of Criminal Judicature, shall, during the term of such Imprisonment, receive subsistence only, to the amount of his pay proper, according to the rates of pay granted to Officers and Soldiers of the Bengal Army.

ARTICLE 116.

In every case in which an offender subject to the provisions of these Articles of War has been sentenced, either by a Court Martial or by a Special Commissioner, to Transportation for any term less than for the term of his Life, for an offence punishable

under the said Articles with Transportation for Life, such Sentence, to the extent of the punishment awarded thereby, shall be deemed as valid and effectual for all purposes as if the offender had been sentenced to Transportation for Life.

ARTICLE 117.

In every case in which an offender subject to these Articles of War has been sentenced by any Court Martial or by a Special Commissioner, to imprisonment with hard labor, for an offence for which by the said Articles of War he might have been lawfully punished with simple Imprisonment, such Sentence shall be deemed valid for all purposes, notwithstanding the Court by which the Sentence was passed may have exceeded its jurisdiction; and all persons are hereby indemnified for any thing done in pursuance of such Sentence.

Sentences of imprisonment with hard labor, passed for offences punishable with simple Imprisonment or Corporal Punishment, rendered valid.

ARTICLE 118.

In any case in which an offender subject to these Articles of War may have been sentenced to punishment by any Officer Commanding a Regiment exercising Magisterial powers, such Sentence shall be deemed valid, and shall be carried into effect notwithstanding that such Sentence was passed by such Officer in any part of the British Territories where he was not authorized to exercise such Magisterial Powers. Provided that such Sentence be such as would have ordinarily been within the jurisdiction of such Officer if passed within the Territories within which he was authorized to exercise such powers.

Sentences passed by Officers commanding Regiments exercising Magisterial powers, rendered valid.

SECTION VI.

*Mode of dealing with Offences not Military.*

ARTICLE 119.

In all places within the jurisdiction of any Civil Judicature established by appointment of Her Majesty or of the Government in India, Officers and Soldiers accused of capital crimes, or of violence, or of offences against person and property, punishable by such Civil Judicature, shall be delivered over to a Magistrate to be proceeded against according to Law.

And all Officers and Soldiers are hereby required to assist the Officers of Justice in apprehending and securing any person so accused.

ARTICLE 120.

In any place, whether in or out of the British Territories, where there may be no Civil Judicature appointed by Her Majesty for the trial of persons accused of offences ordinarily cognizable by Civil Tribunals, such offences when committed by Officers or Soldiers shall be cognizable by Courts Martial.

Crimes to be tried by Courts Martial where no regular Criminal Tribunals exist.

ARTICLE 121.

General Courts Martial shall have cognizance of offences ordinarily cognizable with Death, Transportation for Life, Imprisonment for Life,

Imprisonment for a period which may extend to fourteen years,

Imprisonment for a period which may extend to seven years.

ARTICLE 122.

District or Garrison Courts Martial shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period which may extend to three years, and, by special orders, of offences ordinarily cognizable by General Courts Martial not liable to the punishment of Death or Transportation, with power to sentence persons convicted of such offences to Imprisonment for any period not exceeding three years.

ARTICLE 123.

Regimental, Detachment, or Line Courts Martial, shall have cognizance, ordinarily, of offences punishable with Imprisonment for a period not exceeding six calendar months, and, by special order, of offences ordinarily cognizable by District or Garrison Courts Martial, with power to sentence persons convicted of such offences to Imprisonment for a period not exceeding six calendar months.

*General Courts Martial.*

ARTICLE 124.

Any Officer or Soldier who shall be convicted by a General Court Martial of the crime of "Murder," shall be sentenced to suffer death by being hanged by the neck until he be dead, or to Transportation for Life.

If any injury intended against one person shall, through mistake or accident, light upon another person, and kill him, such killing shall be deemed to be Murder, whensoever it would have been Murder had the person against whom such injury was intended been killed.

Whensoever death shall result from any injury wilfully caused by an offender, but without his intending such injury to light on any person in particular, such offender shall be guilty of Murder, if the offence would have been Murder had he intended to do the injury to the person killed.

ARTICLE 125.

Any Officer or Soldier who shall be convicted by a General Court Martial of any of the offences hereinafter mentioned, accompanied with an attempt to commit Murder, or with wounding or other corporal injury to any person endangering the life of such person; that is to say,—

1st. Breaking or attempting to break, by day or night, into any Dwelling-house, Tent, Boat, or other habitation, or into any building or place used for the preservation of property, with the intent to rob or steal;

2nd. Robbery or attempt to rob;

3rd. Stealing or attempting to steal in a House, or from the person—

Shall be sentenced by such General Court Martial to Imprisonment with or without hard labor and Transportation for Life.

*Offences punishable by Imprisonment which may extend to fourteen years.*

ARTICLE 126.

Any Officer or Soldier who shall be convicted of Robbery, &c., accompanied with wounding or other corporal injury to any person not endangering the life of such person;—or

ARTICLE 127.

Of wounding, or otherwise, by any means whatsoever, causing any corporal injury to any person with intent to murder, whether the person wounded or otherwise injured be the person whom the offender intended to murder, or another; or of attempting to commit murder by any means whatsoever;—or

ARTICLE 128.

Of robbery by open violence, or Dacoity, that is to say, going forth in the day or in the night with an offensive weapon, or in a gang with or without an offensive weapon, with the intention of committing Robbery, and by force or intimidation robbing or attempting to rob any person in any place, or attacking by open violence any house, or place of habitation, or any place in which property may be kept, for the purpose of Robbery;—or

ARTICLE 129.

Of breaking, or attempting to break into any Dwelling-house, Tent, Boat, or other place of habitation, between sunset and sunrise, with intent to rob or steal;—or

ARTICLE 130.

Of breaking into any such place of habitation, or into any place used for the preservation of property, and stealing therefrom property the value of which shall exceed one hundred Company's Rupees;—or

ARTICLE 131.

Of purchasing or receiving plundered or stolen property, knowing it to have been obtained by Robbery, by open violence, or by Theft or Robbery aggravated as described in Article 123 or Article 124;—or

Shall be sentenced by such General Court Martial to Imprisonment with or without hard labor for a period not exceeding fourteen years.

*Offences punishable by Imprisonment not exceeding seven years.*

ARTICLE 132.

Any Officer or Soldier who shall be convicted by a General Court Martial of culpable Homicide not amounting to wilful Murder;—or

ARTICLE 133.

Of premeditated affray, attended with Homicide or severe wounding or other aggravating circumstance;—or

Premeditated affray, attended with Homicide.

ARTICLE 134.

Of intentionally wounding, maiming, or otherwise doing corporal injury to any person;—or

ARTICLE 135.

Of accidentally wounding, maiming, or otherwise doing corporal injury to any person with the intention of doing such injury to another person;—or

ARTICLE 136.

Of breaking into any Dwelling-house, Tent, Boat, or other place of habitation, or into any place used for the preservation of property, between sunrise and sunset, with intent to steal therein;—or

ARTICLE 137.

Of stealing from any habitation, or from any person, any property exceeding three hundred Company's Rupees in value;—or

ARTICLE 138.

Of having purchased or received any property so stolen, exceeding in value three hundred Company's Rupees, knowing it to have been stolen;—or

ARTICLE 139.

Arson. Of Arson;—or

ARTICLE 140.

Unnatural crime. Of an unnatural crime;—or

ARTICLE 141.

Rape. Of Rape;—or

ARTICLE 142.

Of enticing and taking away, or of causing to be enticed or taken away for any unlawful purpose, any unmarried woman under the age of fifteen years;—or

ARTICLE 143.

Of stealing a child under the age of eight years;—or

ARTICLE 144.

Of counterfeiting, or causing or procuring the fraudulent fabrication or alteration of any written Deed, or printed Paper of any description; or any counterfeit seal or signature thereto; or the illicit imitation of any public stamp or stamped paper established by Government; or of fraudulently issuing and publishing as true, or of fraudulently giving effect to fabricated deeds and papers, knowing them to be forgeries; or of using, selling, or disposing of such stamped paper, knowing the same to be counterfeit;—or

ARTICLE 145.

Of forging or procuring to be forged any counterfeit Coin, in imitation of any of the Gold, Silver, or Copper Coin of the British Government of India; or of any Coin usually received as money in the British Territories; or of clipping, filing, drilling, or defacing any such Coin; or of paying or tendering in payment counterfeit Coin, Bank Notes, or other Securities for money knowing the same to be counterfeit,



although such Notes or Securities shall be incomplete;—

Shall be sentenced by such General Court Martial to suffer Imprisonment with or without hard labor for any period not exceeding seven years.

*District or Garrison Courts Martial.*

ARTICLE 146.

It shall be competent to the Commander-in-Chief, and to any Officer having authority to convene District or Garrison Courts Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which the punishment of Death, or Imprisonment, or Transportation for Life is not provided therein, to be tried for such offences before a District or Garrison Court Martial, and such Court shall have power, on conviction, to sentence any such offender to Imprisonment with or without hard labor for any period not exceeding three years.

ARTICLE 147.

Any Officer or Soldier who shall be convicted by a General, District, or Garrison Court Martial, of stealing property not exceeding 300 Rupees but exceeding 50 Rupees, in value, from any habitation, or from the person, any property of value not exceeding three hundred Company's Rupees, but exceeding fifty Company's Rupees;—or

ARTICLE 148.

Of having purchased or received any stolen property of value not exceeding three hundred Company's Rupees knowing it to have been stolen, but not under aggravating circumstances;—or

ARTICLE 149.

Of dishonestly having stolen property in his possession and of having dishonestly kept possession of such property after becoming aware of its having been stolen;—

Shall be sentenced by such Court to suffer Imprisonment with or without hard labor for any period not exceeding three years.

*Regimental, Detachment, or Line Courts Martial.*

ARTICLE 150.

It shall be competent to any Officer having authority to convene a Court Martial, to cause offenders, not being Commissioned Officers, accused of any of the offences specified in the preceding Articles of War, for which no punishment exceeding Imprisonment with hard labor for three years is therein provided, to be tried before Regimental, or Detachment, or Line Courts Martial; and any such Court shall have power, on conviction, to sentence any such offender to suffer Imprisonment with or without hard labor for any period not exceeding six calendar months.

ARTICLE 151.

Any Officer or Soldier who shall be convicted of stealing property to the value of fifty Company's Rupees, or of less value;—or

ARTICLE 152.

Of Assault or Affray, unattended with Homicide, severe wounding, or aggravating circumstances;—

Shall be sentenced to suffer Imprisonment with or without hard labor for any period not exceeding one year, by the award of a General, or District, or Garrison Court Martial; or for any period not exceeding six calendar months, by the award of a Regimental, or Detachment, or Line Court Martial.

Offences punishable by Imprisonment from six months to two years, according to the description of the Court.

ARTICLE 153.

Any Officer or Soldier who shall be convicted of resisting the process of a Magistrate or Police Officer;—or

ARTICLE 154.

Of having committed any offence against person or property for which provision is not already made in the preceding Articles of War;—

Shall be sentenced to suffer Imprisonment for any period not exceeding two years by the award of a General Court Martial, not exceeding one year by the award of a District or Garrison Court Martial, and not exceeding six calendar months by the award of a Regimental, or Detachment, or Line Court Martial.

ARTICLE 155.

Any Officer or Soldier who shall be convicted by a General, or District, or Garrison, or Regimental Court Martial, of having been present, aiding and abetting, or of having caused, instigated, or procured, the commission of any of the offences specified in any of the preceding Articles, shall be sentenced by such Court to the punishment therein provided for such offence, and awardable by General, or District, or Garrison, or Regimental Courts Martial, respectively.

ARTICLE 156.

No Sentence of Death shall be carried into effect until confirmed by the Commander-in-Chief, nor, if the trial shall have been held within the British Territories forming part of either of the Presiden-

sies of Fort William, Fort St. George, and Bombay, respectively, until such confirmation shall have been concurred in by the Government of the Presidency where such trial shall have been held.

ARTICLE 157.

The Commander-in-Chief is authorized at his discretion to confirm any Sentence of Death or to remit such Sentence, or to commute it into Imprisonment with hard labor and Transportation for Life, or into Imprisonment with hard labor for any term of years.

ARTICLE 158.

No Sentence of Transportation shall be carried into effect until confirmed by the Commander-in-Chief, and the Commander-in-Chief is authorized at his discretion to confirm any such Sentence, or to commute it into Imprisonment with or without hard labor for any period of time.

ARTICLE 159.

It shall be competent to any Officer having authority to confirm the Sentence of a General or other Court Martial, to remit any Sentence passed by such Court Martial, or to mitigate such Sentence by substituting simple Imprisonment for Imprisonment with hard labor, or by reducing the period of Imprisonment, or by directing the discharge of the offender in lieu of any Imprisonment.

ARTICLE 160.

A person who may have been tried for any offence by a Court Martial under the authority of these Articles of War, shall not be tried for the same in any other Court whatsoever; and no person who shall have been acquitted or convicted of any offence by a Court of Civil Judicature shall be punished by a Court Martial for the same, otherwise than by cashiering or Dismissal from the Service.

ARTICLE 161.

The Regulations at present in force at any Presidency, by which the office and powers of Commissariat Officers, or Officers in charge of the Police, or Superintendents of Bazaars, are defined and controlled; or by which Panchayets are constituted and guided; or by which jurisdiction is given to Courts Martial over offences committed by persons amenable to the Articles of War, within certain limits beyond or around Cantonments; are hereby declared to be in full force, and the same shall continue to be observed at the several Presidencies respectively.

SECTION VII.

*Application of the Articles.*

ARTICLE 162.

All Officers and Soldiers, all Drivers, Farriers, Trumpeters, and Drummers; all unattested Recruits, Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers; all Artificers and Laborers, Sattlers, Followers, public and private, or others attached to or serving with

any part of the Army, are to be governed by these Articles and subject to trial by Courts Martial.

Provided that all such Drivers, Farriers, Trumpeters, Drummers, Hospital Attendants, Sub-Assistant Surgeons, Native Doctors, and Dressers, hereafter enlisted, shall be attested according to the Regulations of the Presidency to which they belong.

Provided also that persons of European descent (whether on the side of their father or mother) professing the Christian religion, if belonging to the descriptions mentioned in this Article (and not being Her Majesty's natural born subjects born in Europe, or the Children of such subjects,) shall be tried for Military offences by Courts Martial composed of European Officers only, and punished according to these Articles of War; but for Criminal or Non-Military offences such persons shall not be amenable to these Articles of War, but shall be tried and punished in the same manner as persons are who are subject to the Mutiny Act and Articles of War in force for the better government of the European Officers and Soldiers of Her Majesty's Indian Forces.

ARTICLE 163.

These Articles are to be translated into the several languages of the different Presidencies; and the Promulgation of the Articles, in the parts following, namely the Second Section, together with the following Articles in other Sections, namely 2, 3, 4, 76, 105, 106, 112, are to be read once every three months at the Head of every Regiment, Troop, or Company mustered in the Service, and to every Recruit at the period of his Attestation.

M. WYLIE,

*Clerk of the Council.*

FOREIGN DEPARTMENT.

No. 345.

*Fort William, the 24th January 1861.*

The President in Council is pleased to grant Major Colin Mackenzie, Officiating Agent to the Governor General at Moorshedabad, leave of absence for one month.

No. 346.

*The 25th January 1861.*

The President in Council is pleased to confirm the Extract from Brigade Orders issued by Major Mayne, Commanding Mayne's Horse, on the 2nd July last:—

"Jemadar Mozaffer Ali, of the 2nd Corps, to be Ressaidar, from the 1st July 1860."

No. 348.

The President in Council is pleased to confirm the following Extract from Brigade Orders issued by Major Mayne, Commandant Central India Horse, on the 23rd September last:—

"Jemadar Ram Sing, 3rd Corps, Central India Horse, promoted to the Rank of Ressaidar."

No. 350.

The President-in-Council is pleased to confirm the following appointments made by the Commandant in the 2nd Corps, Central India Horse, under date the 22nd October last:—

Jemadar Fyz Ali Khan to be Ressaldar from the 1st May 1860, and to officiate as Ressaldar-Major from the 8th August 1860.

Jemadar Kumroodeen Khan officiated as Ressaldar from 1st May to 30th June 1860.

Jemadar Sheikh Pyari officiated as Ressaldar from 1st May to 30th June 1860.

Jemadar Salar Musrood officiated as Ressaldar from 1st to 31st May 1860.

Jemadar Hatim Beg to be Acting Ressaldar from 1st May 1860.

Jemadar Abdoel Hakim Khan officiated as Ressaldar from 1st to 30th June 1860, and is appointed Acting Ressaldar from 8th August 1860, the date on which Fyz Ali Khan was appointed Ressaldar Major.

No. 352.

Havildar Baleea, of the Meywar Bheel Corps, is promoted to the Rank of Jemadar, *vice* Oodey Sing, deceased.

No. 354.

Havildars Sahib Sing, Dyalla, and Motah, of the Mhair Regiment, are promoted respectively to the Rank of Jemadar.

No. 356.

Assistant Surgeon H. J. Beach received Medical charge of the Civil Establishment and Government Dispensary at Chandah from Mr. Apothecary Macqueen on the 9th instant.

W. GREY,

*Offg. Secy. to the Govt. of India.*

## FINANCIAL DEPARTMENT.

No. 15.

*Fort William, the 23rd January 1861.*

*Notification.*—The Hon'ble the President in Council is pleased to appoint Mr. Samuel Laing to be Private Secretary to the Financial Member of Council.

No. 15.

*The 24th January 1861.*

*Notification.*—Approximate Statement of Receipts from Income Tax and the Sale of Stamps. A similar Statement will be published Quarterly hereafter, in pursuance of order of Government in the Financial Department, No. 31, dated 14th January 1861:—

	INCOME TAX COLLECTIONS.	STAMP COLLECTIONS.
	From 1st August to 30th November 1860.	From 1st May to 30th November 1860.
	Co.'s Rs.	Co.'s Rs.
Government of India	4,21,000	2,05,000
Bengal	1,53,000	17,17,000
North-West Provinces	1,08,000	9,16,000
Punjab	18,000	8,16,000
Madras	2,43,000	6,18,000
Bombay	2,19,000	12,00,000
	11,62,000	49,67,000*

\* This sum includes the proceeds of Stamped Paper sold under Act prior to Act XXXVI. of 1860.

Published by order of the Hon'ble the President in Council,

C. HUGH LUSHINGTON,

*Secy. to the Govt. of India.*

No. 707.

From C. H. LUSHINGTON, Esq.,

*Secy. to the Govt. of India,*

TO THE ACCT. GENL. TO THE GOVT. OF INDIA.

FINANCIAL DEPARTMENT.

SIR,—I AM directed to acknowledge the receipt of your letter No. 1678, dated 11th instant, soliciting orders as to whether Bills for work done for Government by private Parties or Establishments should be exempted from the Stamp Duty.

2. In reply I am desired to state that the opinion given by the Advocate-General at Calcutta appears to the President in Council to be correct, *viz.* that a receipt given by a private individual or Establishment to a Public Officer on behalf of Government for money paid by such Officer from the Public Revenue, on account of the State, is an Instrument to which Government or such Officer in a public capacity is a party, and which falls within the general exemption and rule in the Schedule of Act XXXVI. of 1860.

3. His Honor in Council remarks that the true test by which the point now raised should be decided is whether the document would have existed if there had been no public transaction, or did it owe its existence solely to the fact that the Government or its representatives had occasion to do something in their public capacity.

I have, &c.,

(Sd.) C. H. LUSHINGTON,

*Secy. to the Govt. of India.*

COUNCIL CHAMBER,  
*The 24th January 1861.*

**MILITARY DEPARTMENT.****GENERAL ORDERS BY HIS EXCELLENCY THE  
GOVERNOR GENERAL OF INDIA.***Camp Jubbulpore, the 17th January 1861.*

No. 1114. of 1861.—His Excellency the Viceroy and Governor General of India has much satisfaction in publishing for general information the subjoined letter, dated the 21st of November 1860, from Lieutenant-General Sir J. Hope Grant, G. C. B., Commander of the Forces in China, bringing to notice the services, during the Campaign in that Country, of the Native Troops of all Arms which proceeded to China from Bengal, Madras, and Bombay.

The Governor General congratulates the Troops on the high testimony which they have earned for themselves from their distinguished Commander by their exemplary conduct in Camp and Garrison, and by their valor in the Field. And it is an additional source of gratification to the Governor General, and a matter of which the Troops may justly be proud, that their brilliant conduct in the Field excited the admiration, not only of their British Comrades, but also of the French Troops which served in the same Campaign.

It will be the grateful task of the Governor General to make known to Her Majesty's Government the report of Lieutenant-General Sir Hope Grant, and to bring particularly to notice the Officers specially mentioned by him:—

**TO THE RIGHT HON'BLE THE EARL CANNING,**

G. C. B.,

Sec., Sec., Sec.

MY LORD,—PEACE having been concluded with this Country, and many of the Native Troops serving in the Expeditionary Force being about to return to India, it becomes my duty to bring to your Excellency's notice the services of the Regiments and Corps of Her Majesty's Indian Army which have been serving during the Campaign.

The 1st Sikh Irregular Cavalry, under Major Probyn, and Fane's Horse, under Captain Fane, have performed their work most admirably.

On more than one occasion these Regiments have been opposed to, and have successfully charged a vastly superior force of the Enemy's Cavalry, and their conduct in the Field has excited the admiration of the French as well as of the English Troops. It is not only on the Field of Battle that their services have been so important during the recent Campaign, but in performing the numerous other duties required of them, of an infinitely more harassing nature; patrols, escorts, and reconnaissances, as well as the task of carrying letters almost daily between Tientsin and Peking (a distance of seventy-five miles), for upwards of a month, during which they were frequently fired upon; their services have been of the utmost value to the Expedition.

I beg to recommend Major Probyn and Captain Fane to your Excellency's most favorable notice.

The two Companies of Madras Artillery under Captain Hicks, and the two Companies of Madras Sappers under Captain Shaw Stewart, rendered good and useful services in the operations which preceded, and led to the fall of the Takee Forts. The latter Corps was most energetic in working, without relief, at the construction of the Batteries, and

have always shewn themselves to be cheerful and willing workmen. A Detachment of the former Corps, under Captain MacIntyre, was summoned from its Station at Chusan to the assistance of Shanghai, and was fortunate enough to reach that City on the day it was attacked by the Rebels, and to assist in repelling their attacks.

The Regiment of Loodianah was stationed at Shanghai during the attack of the Rebels on that City, and under the Command of Lieutenant Colonel Walsh contributed to their repulse.

The 8th and 15th Regiments of Punjab Infantry have accompanied the Army in all the active operations in the Field, and although, owing to the nature of the operations, they have not come into collision with the Enemy so frequently as they have, perhaps, wished, their services have not been of the less value to the Expedition. The 15th Punjab Infantry, however, was particularly forward during the Action of the 18th of September; and on the 21st September a Detachment under Lieutenant Harris distinguished itself by crossing the River and capturing a Gun which had opened on our Lines.

The 8th Punjab Infantry has been ably commanded throughout the Campaign by Captain Brownlow. Captain Shebbeare, an excellent Officer, the Commandant of the 15th Punjab Infantry, was unfortunately compelled by ill-health to leave just when active operations were commencing, but the Regiment has been efficiently commanded by Lieutenant Randall.

The 11th and 19th Punjab Infantry have been employed in garrisoning the Depôts, &c., while the 3rd and 5th Bombay Native Infantry and the 2nd Madras Native Infantry have formed portions of the Garrisons of Hong-Kong and Canton.

I have much pleasure in informing your Excellency that the behaviour of the Indian Troops, both in Camp and in Garrison, has been everything that I could wish; and it has given me much satisfaction that the course of events have enabled me to send a considerable portion of them back to their homes in India before the end of the present year.

I have, &amp;c.,

(Sd.) J. HOPE GRANT, *Lieut.-Genl.*,*Commander of the Forces.*HEAD QUARTERS, TIENSIN, }  
The 21st November 1860. }*Camp Jubbulpore, the 18th January 1861.*

No. 124. of 1861.—His Excellency the Governor General is pleased to make the following temporary appointment in the Department of the Quarter Master General of the Army:—

Captain G. Allgood, the senior Deputy Assistant Quarter Master General, having returned from China, is appointed to officiate as Assistant Quarter Master General of the Army from the date of his arrival at Calcutta, *viz* Major H. Garden, acting as Deputy Quarter Master General.

R. J. H. DIXON, *Major-Genl.*,*Secy. to the Govt. of India,*  
*with the Govr. Genl.*

# MILITARY DEPARTMENT.

*Fort William, the 25th January 1861.*

No. 62 of 1861.—Lieutenant F. W. Grant, of the 22nd Regiment Native Infantry, is allowed an extension of leave to the 9th January 1861, the date on which he reported his return to Bengal from Sick leave to Europe.

No. 63 of 1861.—Mr. Robert Scott is transferred from the Surveyor General's Office to the Civil Establishment, Great Trigonometrical Survey of India, as a Second Class Sub-Assistant, with effect from 1st February 1861.

No. 64 of 1861.—The under-mentioned men are admitted to Pension, as specified opposite to their respective names:—

Private Thomas Healey, of the 1st European Bengal Fusiliers	} One Shilling per diem each, payable in Europe.
Private William Dougan, of the 1st European Bengal Fusiliers	
Private Job Wackett, of the 1st European Bengal Fusiliers	

Gunner Christopher Byrne, of the Artillery Recruit Depot.	} Rs. 14 14-6 per month, payable in India.

No. 65 of 1861.—Ensign James William Abbot Michell, of the 10th Regiment Native Infantry, is, at his own request, transferred to the 37th Regiment Native Infantry, and promoted to the Rank of Lieutenant, to fill an existing vacancy in that Corps.

No. 66 of 1861.—Mr. John George Pew is promoted from Third to Second Class Sub-Assistant Ganjam Topographical Survey, with effect from the 1st December last.

No. 67 of 1861.—Under the authority of the Right Hon'ble the Secretary of State for India, the Hon'ble the President in Council is pleased to confer the Honorary Rank of Major on Captain J. R. Wilson, formerly a Local Officer of the Nizam's Contingent, and now Inspecting Post Master at Nagpore, in consideration of his good services during the late Rebellion.

No. 68 of 1861.—Lieutenant E. H. Macnaghten, of the 2nd European Cavalry, is allowed an extension of leave from the 9th December 1860 to the 4th instant, the date on which he reported his return to Bengal from Sick leave to Europe.

No. 69 of 1861.—The following paragraph of a Military letter from the Right Hon'ble the Secretary of State for India, No. 451, of the 15th December 1860, is published for general information:—

Para. 9. "In accordance with your recommendation and that of His Excellency the Commander-in-Chief, Lieutenant Kelly, of the Veteran Establishment, may be promoted to the Rank of Captain from the date of receipt of this Despatch in India."

The promotion of Captain Kelly will have effect from the 19th January 1861, the date of receipt of the above Despatch.

F. D. ATKINSON, Major,  
*Offg. Secy. to the Govt. of India.*

# PUBLIC WORKS DEPARTMENT.

GENERAL.—ESTABLISHMENTS.

No. 17.

*The 25th January 1861.*

Promotion.—Lieutenant E. S. Wood, Her Majesty's 93rd Highlanders, Probationary Assistant Engineer, Elwah Terminal Division, Ganges Canal, is promoted to the Grade of Assistant Engineer of the 1st Class, with effect from the 2nd December 1860.

No. 18.

Transfer.—Overseer Serjeant P. Robson, who was posted to the North-Western Provinces, in Notification No. 111, of the 4th June 1860, is transferred to Bengal.

No. 19.

Resignation.—The acceptance by the Lieutenant-Governor of the Punjab of the resignation by Mr. W. McGuffin, Overseer on the Barce Doab Canal, of his appointment in the Public Works Department, with effect from the 5th March 1861, is confirmed.

A. G. GOODWYN, Major,  
*Offg. Secy. to the Govt. of India.*

# ORDERS by the LIEUTENANT-GOVERNOR of BENGAL.

No. 125B.

APPOINTMENTS.—The 18th January 1861.—Baboo Thakoor Doss Mookerjee, Moonsiff of Kaleegunge, is vested with the powers of a Deputy Collector, under Section CL, Act X. of 1859, in the District of Jessore.

The 21st January 1861.—Captain E. A. Rowlett to officiate as Deputy Commissioner of Assam.

Mr. J. B. Shadwell to the charge of the Cosmah and Jynteah Hills.

Baboo Sindooram Doss to be an Assessor and Deputy Collector, under Act XXXII. of 1860, in Gawalparrah.

This cancels the appointment of Moonshee Mahomed Oekmul, notified in the *Gazette* of the 24th November last.

Moulavy Mahomed Hossein, Moonsiff of Barh, is vested with the powers of a Deputy Collector, under Section CL., Act X. of 1859, in the District of Patna.

*The 22nd January 1861.*—Mr. A. E. Russell to officiate as Additional Judge of Tirhoot and Sarun.

*The 23rd January 1861.*—Mr. T. Tweedie, Deputy Magistrate and Deputy Collector of Jessore, is vested with the powers of a Deputy Collector, under Act X. of 1859, in that District.

Mr. R. Fryer to be Secretary to the Local Committee of Public Instruction at Bancoorah.

Baboo Dinobundho Mullick to be a Member of the Local Committee of Public Instruction at Furreedpore.

**LEAVE OF ABSENCE.**—*The 21st January 1861.*—Lieutenant-Colonel H. Vetch, Officiating Deputy Commissioner of Assam, for six weeks, under the Financial Resolution of the 14th January 1859, preparatory to proceeding to Europe on Furlough.

Mr. E. O'Brien, Superintendent, Customs Preventive Service, for twelve months, on Medical Certificate, under Clause 2, Section V. of the Uncovenanted Absentee Rules.

*The 22nd January 1861.*—Baboo Indomanth Boaz, Deputy Magistrate and Deputy Collector of Sylhet, for six weeks on Medical Certificate, under Clause 2, Section V. of the Uncovenanted Absentee Rules.

Baboo Sreenauth Mookerjee, Sub-Assistant Surgeon of Noacolly, for two months on Medical Certificate, under Clause 2, Section V. of the Uncovenanted Absentee Rules, in extension of the leave granted to him on the 17th ultimo.

*The 23rd January 1861.*—Mr. H. C. Richardson, Magistrate and Collector of Bhaugulpore, for fifteen days, under Section XII. of the now revised Absentee Rules.

**NOTIFICATION.**—*The 22nd January 1861.*—Lieutenant C. F. Middleton, Officiating Junior Assistant to the Commissioner of Assam, is reported to have passed a successful Examination in Bengallee.

W. S. SETON-KARR,

*Offg. Secy. to the Govt. of Bengal.*

#### Public Works Department,—Bengal.

No. 373.

**APPOINTMENT.**—*The 21st January 1861.*—Sub-Assistant Surgeon Gopal Chunder Pattuck is transferred from Rhotasghur, where he was specially employed under orders of this Department, to Deegah, near Patna.

**NOTIFICATION.**—*The 23rd January 1861.*—In amendment of the "Rules for the collection and payment of Tolls in that part of the River Kurratya which runs through the Bogra District," published at page 2747 of the *Gazette* of the 26th December, it is hereby notified, that Baboo Prasanno Coomarr Tagore is authorized to levy Tolls on the Kurratya River at the following rates, as prescribed in Act XXII. of 1850:—

Budgerows, Baulahs and other Boats for personal accommodation, 4 annas per oar.

Boats of burthen, empty, at the rate of 2 annas per 100 maunds' burthen.

Boats of burthen laden with bricks, tiles and earthen-ware; straw, grass, reeds, and fire wood; fruits and vegetables, at the rate of 4 annas per 100 maunds' burthen.

Boats of burthen laden with grain, pulse, seeds, and any other article not expressly enumerated, at the rate of 12 annas per hundred maunds' burthen.

Timbers in rafts or otherwise not being in Boats, 2 annas each timber.

Bamboos in floats, 4 annas per hundred bamboos.

Every Boat less than 50 maunds' burthen shall be rated as 25 maunds—every Boat of 50 maunds and less than 75 maunds shall be rated as 50 maunds—every Boat of 75 maunds and less than 100 maunds shall be rated as 75 maunds—every Boat of 100 maunds and less than 125 maunds shall be rated as 100 maunds, and soon.

Any number of bamboos less than an even hundred shall be rated as 100. These rates should be substituted for those entered in the Rules referred to.

C. B. YOUNG, *Lieut.-Colonel,*

*Secy. to the Govt. of Bengal,*  
*in the Public Works Dept.*

#### ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces.

##### GENERAL DEPARTMENT.

No. 70.

*The 12th January 1861.*

Mr. E. A. Prinsep, Deputy Commissioner of Sealkote, returned from Medical Furlough, to India on the 27th December last; and has obtained eight weeks' leave to enable him to rejoin his post.

No. 75.

*The 14th January 1861.*

**Notification.**—The Notification No. 3393, dated 29th December 1860, so far as relates to the designation of the late Leia Division, is hereby cancelled. That Division will henceforth be styled in all official documents the "Dehrajat Division."

##### REVENUE DEPARTMENT.

No. 78.

*The 14th January 1861.*

Sirdar Bhugwan Sing, of Baidwan, in the Cis-Sutlej States, is appointed an Assessor of Income Tax, within the limits of his Jageers, subject to the supervision of the Deputy Commissioner.

No. 86.

*The 15th January 1861.*

Pundit Baijnath, Tehseldar of Lahore, is appointed an Assessor of Income Tax, under Act XXXII. of 1860.

B. H. DAVIES,

*Secretary to Government, Punjab.*



MILITARY DEPARTMENT.

No. 10.

The 12th January 1861.

Under the sanction of the Supreme Government, the under-mentioned heirs of deceased Soldiers are admitted to the Native Family Pension, from the dates specified opposite to their respective names; and the Pay-Masters of Pensioners, in whose Circle the Individuals reside, will furnish the prescribed Rolls to the Department of Audit, and to the parties concerned:—

NAMES — CLAIMANTS.	Age.		Height.	Caste.	Personal appearance and particular marks.	Village and Country.	Nature of relationship to the deceased.	Description of the deceased's relatives on whose account claims are made.			Date of admission.	Date of Committee's Proceedings.	Amount of Pension.	For what period.	By what Pensionable Pay-Master payable.
	Years.	Months.						Names.	Rank.	Last Corps.					
Kussetee ...	70	0	5	4	A wart just above the right eye-brow—and another on the left side of her nose.	Mowaderpoor, Sealakote, Sealakote.	Mother	Kishna ...	Sepoy	2nd Punjab Infantry.	4th May 1860.	8th Oct. 1860.	2-12	Life.	Meerut.
Surfoo ...	51	0	5	9	Mark of a cut on his nose.	Bassunkote, Butala, Goordaspoor.	Father	Punjaba ...	Ditto	Ditto	Ditto	7th Aug. 1860.	2-12	Ditto	Ditto.
Soodhoo ...	55	0	4	8	Of rather dark complexion; has no teeth, merely a few stumps in the back of the jaws. Not very grey—and wrinkled.	Village Tillotee, Pergunnah Ghuleeta, Tehseel Jusroota, Zillah Jummoo.	Mother	Nehal Sing.	Ditto	4th Punjab Infantry.	8th Sept. 1857.	31st Aug. 1859.	2-12	Ditto	Ditto.

The 11th January 1861.

The following Brigade Order No. 544, dated 10th December 1860, by Brigadier General N. Chamberlain, C. B., Commanding Punjab Irregular Force, is confirmed:—

His Excellency the Viceroy in Council having been pleased to direct\* that the three Light Field Batteries of the Punjab Irregular Force shall each be reduced from (6) six to (4) four pieces of Ordnance, the reduction is to take place from the 1st January next: and from that date, the Establishments and Allowances of a Light Field Battery will be as detailed in the following Table:—

*Establishment and Allowances of a Punjab Light Field Battery.*

No.	ESTABLISHMENT.		PAY.			BATT.		
			Rs.	As.	P.	Rs.	As.	P.
1	Commandant,	} Pay and Allowances of Rank.						
1	Doing Duty Officer,							
1	Subadar		52	0	0	15	0	0
2	Jemadars at		22	8	0	7	8	0
8	Havildars at		9	0	0	5	0	0
■	Naicks at		7	0	0	5	0	0
2	Buglers	} at {	6	8	0	1	8	0
			under 20 years' service					
			after 20 years' service					
90	Privates	} at {	8	8	0	1	8	0
			after 27 years' service					
1	Tindal		8	0	0	0	0	■
1	Tent Lascar		4	12	0	1	0	0
4	Store Lascars at		5	0	0	0	0	0
2	Bheesties at		4	0	0	1	0	0
1	Sweeper		4	0	0	0	0	0
1	Native Horse Doctor		15	0	0	0	0	0
1	Native Farrier		7	0	0	1	8	0
3	Jemadar Syces at		10	0	0	0	0	0
80	Syces at		5	0	0	0	0	0
95	Grass Cutters at		4	8	0	0	0	0
10	Bullock Drivers at		5	0	0	0	0	0
1	Mistree Carpenter		14	0	0	0	0	0
2	Workmen Carpenters at		10	0	0	0	0	0
1	Mistree Smith		12	0	0	0	0	0
2	Filemen at		7	0	0	■	0	0
2	Firemen at		7	0	0	0	0	0
2	Hammermen at		■	■	0	0	0	0
1	Mocheo		5	0	0	0	0	0
2	Langrees at		5	0	0	0	0	0
STAFF.								
1	Pay Havildar,	} Non-effective {	} Pay and Batta of Rank			} Pay and Batta of Rank		
1	Drill Naick,							
			5	0	0	0	0	0
			2	8	0	0	0	0
HOSPITAL ESTABLISHMENT.								
1	Native Doctor—Pay according to class		0	0	0	0	0	0
1	Dresser or Shop Cooley		6	0	0	0	0	0
1	Cook		4	0	0	0	0	0
0	Dooly Bearers at		5	0	0	0	0	0
1	Sweeper		4	0	0	0	0	0
1	Bheestie		4	0	0	1	0	0
BAZAAR ESTABLISHMENT.								
1	Mutsuddee		5	0	0	0	0	0
1	Weighman		8	0	0	0	0	0
ORDNANCE.								
2	24 Pr. Howitzers.							
2	9 „ Guns.							
4	Ammunition Waggons.							

No.	ESTABLISHMENT.	PAY.	BATTA
		Rs. A. P.	
1	Spare Carriage.		
1	Forge Cart.		
2	Store Carts.		
1	9 Pr. Gun, to be kept in store in nearest place of Arms.		
	<b>CATTLE.—HORSES.</b>		
4	Guns, at 8 each	32	
4	Waggons	32	
	Spare, 1 per team	8	
	Forge Cart	6	
	Out-riders	7	
	Addition	10	
	<b>Total</b>	<b>95</b>	
	<b>YABOOS FOR EXTRA AMMUNITION.</b>		
6	Per Gun	21	
2	Spare, per Gun	8	
	<b>Total</b>	<b>32</b>	
	<b>BULLOCKS FOR CARTS.</b>		
■	Per Cart	18	
1	Spare, per Cart	3	
	<b>Total</b>	<b>21</b>	
	<b>ALLOWANCES.</b>		
	Command Allowance	50	0 0
	Horse Allowance, Commanding Officer	60	0 0
	Doing Duty Officer's Staff Allowance, including Rupees 30 Horse Allowance	150	0 0
	Contingent Gun Allowance for 4 Guns and Waggons at each	15	0 0
	Allowance for 1 Spare Carriage	5	0 0
	" " Forge and Store Carts at each	5	0 0
	" " Shoeing 95 Horses, each	2	0 0
	" " " 32 Yabooks, "	■	0 0
	" " Repair of 88 sets of Harness, each	1	8 0
	" " " 7 Saddles, each	1	0 0
	" " Gram-pots	15	0 0
	" " Cavassons and cotton ropes	5	0 0
8	" " Sepoys' Pauls, each	0	10 0

NOTE.—Men belonging to the late Durbar Establishment, to whom a higher rate of pay than now laid down, or other advantage have been guaranteed, will be entitled to retain such advantage and superior pay.

2. The Establishment reduced by this Order to be disposed of in accordance with the following instructions :—

To be sent to Rawul Pindee to join the Artillery Division, pending the orders of His Excellency the Commander-in-Chief as to their disposal. A report of each man's character and qualifications to be sent to the Staff Officer, Punjab Irregular Force, in view to their claims being forwarded for the consideration of the Commandant of the Regiment of Artillery.

The surplus Privates will be borne upon the Rolls as supernumeraries until absorbed. The Garrison Company will be completed by transfers from the Bat-

teries. Each Battery will send to the Staff Officer a Descriptive Roll of the most inefficient Privates now attached to the Battery, in view to their being transferred to the Garrison Company as vacancies may occur.

The surplus non-combatant Establishment to be

* NON-COMBATANTS.	{ Store Lascars. Syces, Grass Cutters. Bullock Drivers.	paid up to the 31st December inclusive, and be discharged with gratuity, in accordance with the scale noted in the margin.* The amount paid in gratuity to be drawn for in Contingent Bills, which are to be forwarded to the Staff Officer.
Above 7 years service	3 months' pay.	
" 4 " "	2 " "	
" 1 " "	1 " "	

An advance to be taken up from the Civil Treasury for the amount necessary to make good the pay and gratuity. In carrying out the reductions preference is to be given to those longest in the Service, provided they are thoroughly efficient.

The surplus Ordnance to be sent to the nearest Magazine or Ordnance Depot, and a report to be made to the Commissary of Ordnance of the articles thus returned into store.

A Committee to be assembled on the receipt of this Order to condemn the worst of the Horses and Bullocks to the extent necessary to bring about the required reduction.

The Cattle thus condemned to be sold by public auction on the 31st December 1860, to the highest bidder, and the proceeds to be paid into the Civil Treasury.

The surplus Yabooos are to be made over to the  
 \* Of No. 1 P. L. P. Ry. to 1st Regt. P. L. Infantry  
 Ditto 2 ditto ditto 6th ditto. Corps as  
 Ditto 3 ditto ditto 6th ditto. noted in the  
 margin.\*

The Gear and Clothing of the Horses and Bullocks disposed of, being the property of Government, to be sold by public auction, and the proceeds to be paid into the Treasury.

3. The increased Establishment of one Native Horse Doctor and three Jemadar Syces per Battery will be entertained from the 1st January 1861.

4. Officers in Command of Batteries are to distinctly understand that the reduced Establishment is to have effect on and from the 1st of January next.

5. A report of the instructions conveyed in this Order having been carried out is to be made to the Staff Officer, for the information of the Brigadier General Commanding the Force.

No. 12.

The 14th January 1861.

3RD REGIMENT SEIKH INFANTRY.

*Appointment.*—The Regimental Order, dated 14th December 1860, by Captain R. Renny, Commanding, appointing Lieutenant P. T. Bainbridge to officiate as Adjutant, in addition to his other duties, in room of Lieutenant B. R. Chambers, left with the Wing of the Regiment at Goruckpore, in consequence of the Head Quarters and a Wing of the Regiment proceeding on service to Darjeeling, is confirmed.

G. HUTCHINSON, Major,  
 Offg. Secy. to the Govt., Punjab.

## Order by the Board of Revenue, Lower Provinces.

CIRCULAR No. 9.

To ALL COMMISSIONERS AND SUPERINTENDENT OF  
DARJEELING.

THE above Officers are requested to furnish the Board with a Statement in the following form:—

1	2	3	4	5
District.	Names of Amassors.	Circles assigned to each Amassor, with names of Thannas comprised therein.	Head-Quarters.	No. of square miles comprised in the Circle.

H. L. DAMPIER,  
 Offg. Secretary.

BOARD OF REVENUE, L. P.;  
 FORT WILLIAM,  
 The 22nd January 1861.

## Opium Notification.

Notice is hereby given, that the second Sale of Opium, the provision of 1859-60, will be held at the Exchange Hall, on Wednesday, the 6th of February 1861, at 11 A. M., and will comprize 1,780 Chests, viz:—

Behar Opium	...	...	...	1,220
Benares ditto	...	...	...	560
Total Chests	...	...	...	1,780

2. The general Conditions of the Sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 10th November 1860, and published in the Government and Exchange Gazettes, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 11th and 21st February 1861 respectively, that is to say, no Sub-Treasurer's Receipts, Company's Paper, or other Public Securities, that may be tendered for deposit in redemption of Promissory Notes given by purchasers at the Sale, will be received after 4 P. M. of Monday, the 11th February 1861, and no Treasury Receipts in full payment of Lots will be accepted after 4 P. M. of Thursday, the 21st February 1861.

4. In addition to the quantity above advertised for Sale, the following quantities, more or less, of Behar and Benares Opium of 1859-60 will be brought to Sale in the present year on or about the dates specified below. The Board, however, reserve to themselves the right of altering these dates should circumstances render it expedient to do so.—

		Behar about Chests.	Benares about Chests.	Total about Chests.
On or about	Thursday, 7th March 1861	1226	560	1786
Ditto	Wednesday, 10th April	1220	560	1780
Ditto	Wednesday, 8th May	1220	560	1780
Ditto	Monday, 10th June	1220	560	1780
Ditto	Monday, 8th July	1220	560	1780
Ditto	Monday, 6th August	1220	560	1780
Ditto	Monday, 9th September	1220	560	1780
Ditto	Monday, 7th October	1220	560	1780
Ditto	Wednesday, 6th Nov.	1220	560	1780
Ditto	Thursday, 6th December	1241	601	1842
		12231	5641	17872

By Order of the Board of Revenue,

A. EDEN,  
*Offy. Junior Secretary.*

FORT WILLIAM,  
*The 2nd January 1861.*

(COPY.)

### Circular No. 2.

TO THE CIVIL JUDGES IN THE LOWER PROVINCES  
AND THE DEPUTY COMMISSIONER OF HAZARKE-  
BAGH.

WITH reference to the Resolution of the Govern-  
ment of Bengal, No. 8452, dated the 30th  
November last, and published in the Sup-  
plement to the *Government Gazette* of the 15th  
December, I am directed by the Court to request  
that you will submit in a tabular form, a Statement  
showing the names of the Moonsiffs subordinate  
to you, the name of the place where each Officer is  
stationed, the time he has been there, and the  
name of the District and Village in which his  
family residence is situated.

I have, &c.,  
(Sd.) H. B. LAWFOED,  
*Register.*

FORT WILLIAM;  
*The 18th January 1861.*

### Notification, No. 4.

TO ALL CIVIL TREASURY OFFICERS CONCERNED.

THE Officiating Secretary to the Government of India, in the Military Department, having brought to the notice of this Office the inattention of Officers in charge of Civil Treasuries, and to the Rules in force for remittances on account of the Estates of deceased Soldiers, which leads to frequent double remittances to his Department, your particular attention is drawn to the Government General Order No. 1725, dated 28th December 1858, published at page 2597 of the *Calcutta Government Gazette* for that year, and to my Circular, dated 19th January 1859, transmitting a form of transfer credit receipt applicable to such remittances.

E. DRUMMOND,  
*Acctt. Genl. to the Govt. of India.*

FORT WILLIAM;  
ACCOUNTANT GENERAL'S OFFICE,  
DURBAR AND REVENUE DEPARTMENT,  
*The 10th January 1861.*

### Notification, No. 5.

TO ALL CIVIL TREASURY OFFICERS CONCERNED.

INSTEAD of keeping a separate Memorandum of Bill and Receipt (or Adhesive) Stamps as directed in my Notification, dated 7th ultimo, it will be sufficient in future distinctly to add the supply, and deduct the quantity sold, of such Stamps in the Memorandum of Judicial Stamps, to which should be carried the balance (if any) of the Memorandum of Bill and Receipt Stamps.

### No. 6.

THE abolition of the Leia District, and the establishment of a new District called Bunnoo, in the Punjab, notified at page 117 of the *Calcutta Gazette* of the 12th instant, should be noted for future guidance in the list of Treasuries appended to the Bill Circular.

### No. 7.

TO prevent misapprehension, it is hereby intimated that charges on account of Compensation for losses incurred during the late Mutiny should be supported in account with the original Certificates of the Compensation Commissioner and payees' receipts, and not by audited Bills.

### No. 8.

THE realizations on account of Income Tax under each Schedule, and of Stamps (exclusive of Postage Stamps), should be reported to this Office punctually on the 1st or 2nd of the month following that in which they are brought to account.

E. DRUMMOND,  
*Acctt. Genl. to the Govt. of India.*

FORT WILLIAM;  
ACCTT. GENL.'S OFFICE,  
DURBAR AND REVE. DEPT.,  
*The 16th January 1861.*





**Calcutta Stamp Office.**

*The 22nd December 1860.*

With reference to the present applications made to this Office for the impressment of Stamps on executed Instruments, the attention of the Public is directed to Section III. of the new Stamp Act, which enjoins a minimum penalty of One Hundred Rupees on persons making, executing, or signing Deeds, Instruments and Writings engrossed on unstamped or insufficiently stamped Paper. Parties are accordingly requested to send their documents to be stamped before execution, as they can only be impressed after signature on proof that the omission arose from "accident, ignorance, inadvertence, or from other unavoidable cause," and upon payment of the penalties specified in Clause 2, Section XIII. of the said Act.

G. B. HAMPTON,  
*Collector of Stamps.*

**Calcutta Stamp Office.**

*The 16th January 1861.*

NOTICE is hereby given, that Hurri Nauth Chuttopadhyaya has been appointed Stamp Vender at Jorasanko, *viz* Romananath Chuttopadhyaya, deceased.

G. B. HAMPTON,  
*Collector of Stamps.*

**Notice.**

THE Public are hereby informed that, from this date, the power of endorsing documents protecting Salt, according to the provisions of Section XLVII. Regulation X. of 1819, has been withdrawn from the following Chowkies of the Jellason Division:—

Chowkey Chemoak,  
" Errinch,  
" Bahirce,  
" Contai.

At the following two new Stations, documents protecting all Salt passing by or near these Stations must be examined and endorsed under the conditions of Section XLVII. Regulation X. of 1819:—

*Bhailghur.*—On the South bank of the Bogdahi.  
*Hidgelee Point.*—On the left bank of the Russulpore River.

A. MONEY,  
*Controller.*

OFFICE OF CONTROLLER OF  
GOVT. SALT CHOWKIES,  
*The 29th December 1860.*

**Notice.**

THE Office of the Executive Engineer of Calcutta Canals has been moved from No. 5, Park Street, to No. 8, Lower Circular Road, opposite Elysium Row.

**Notice.**

HINDOO HOLIDAYS IN FEBRUARY 1861.

THE General Treasury will be closed on Thursday the 14th, and Friday the 15th February 1861, on account of the Hindoo Holidays Sree Panchami.

J. I. HARVEY,  
*Sub-Treasurer.*

GENERAL TREASURY, }  
*The 22nd January 1861.*

*Sheriff's Office, the 5th January 1861.*

NOTICE is hereby given, that a Sessions of Over and Terminer and Gaol Delivery, and also in Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House in the Town of Calcutta, on Monday, the Fourth day of February next, at 12 o'clock at noon.

The Court will open on the first day of the Sessions at 12 o'clock at noon, and upon each succeeding day precisely at 11 o'clock in the forenoon, of which all persons are required to take notice.

JOHN COCHRANE,  
*Sheriff.*

সরিক আকিস জানওয়ারি ১৮৩১ সাল।

সমাচার দেওয়া যাইতেছে যে আগামি ৪ কিবরিওয়ারি সন ১৮৩১ সাল সোমবার দুই প্রহরের সময় কলিকাতার কোর্ট উইলি-এমের এবং তাহার অন্তঃপোতি যে সকল স্থান তন্নিমিত্ত বঙ্গ দেশের কোর্ট উইলি-এমের প্রুপ্রেম কোর্ট আপন আদালত ঘরে ওয়েরটরমিনর এবং এডমাইরেলটি অর্থাৎ মহা নব্বদ সম্পকীয় মোকদমা নিষ্পত্তি জন্য এক সেশিয়ান অর্থাৎ মিছিল করিবেন।

এই সেশিয়ান জতকাল পর্যন্ত বসিবেক তাহার প্রথম দিবস দুই প্রহরের সময় তাহার পর প্রতি দিবস এগারো ঘণ্টার সময় বসিবেক এ বিষয় সকলে অরণ রাখুন।

JOHN COCHRANE,  
*Sheriff.*

## CUSTOMS.

## LIST OF UNCLAIMED PACKAGES LYING ON THE CUSTOM HOUSE WHARF.

Date of Landing.	Mark or Address of Packages.	Ships.
1860, March	4 Cases Merchandize, L H in diamond	Str. Simla.
Ditto	1 Package ditto, J Paterson, E I Railway	Ditto.
Ditto	1 Ditto ditto, W G Blake	Ditto.
Ditto	1 Ditto ditto, Alexander Hope, care of Gillanders and Co.	Ditto.
Ditto	2 Ditto ditto, Colonel Stested	Ditto.
May	1 Package ditto, P H H in diamond	Str. Candia.
Ditto	1 Ditto ditto, Captain Hysche	Ditto.
Ditto	1 Ditto ditto, J de Vaux	Ditto.
Ditto	1 Ditto ditto, H M's Steamer <i>Prince Arthur</i>	Ditto.
Ditto	1 Ditto ditto, Mr. Wylie's Ayah	Ditto.
Ditto 15th	1 Case ditto, D S H in diamond	Shand.
July 4th	1 Ditto ditto, P and W	Rising Sun.
Ditto	1 Ditto ditto, W H H and Co.	Ditto.
Ditto	1 Ditto ditto, B and C in diamond	Ditto.
Ditto	1 Cask ditto, No mark	Ditto.
Ditto	1 Case ditto, W G W and C in parallelogram, Messrs Burkinyoung and Co.	Str. Simla.
Ditto 11th	1 Cask ditto, J C	Contest.
March 14th	1 Package ditto, Captain Presgrave, 59th Regiment Bengal Native Infantry	Str. Nemesis.
July 18th	7 Cases ditto, Moss, 71st Regiment, H L I, II B	Herselia.
Ditto	1 Bale ditto, ditto	Ditto.
Ditto 21st	10 Cases ditto, ditto	Ditto.
Ditto	2 Casks ditto, ditto	Ditto.
Aug. 8th	1 Package ditto, B P and Co.	Bucephalus.
Ditto 23rd	1 Box ditto, Thomas Morris, 94th Regiment	Sir John Lawrence.
Ditto 25th	1 Case ditto, Mr C H Bloxam, No. 70, Cossitollah	Scoreshy.
Sept. 13th	1 Package ditto, Lieutenant Reveley	Str. Lancefield.
Ditto	1 Chest of Drawers, Captain Parker	Ditto.
Ditto 17th	10 Casks ditto, E A W and Co.	Massuliote.
Ditto 21st	1 Cask ditto, H M's 19th Regiment	Crescent City.
Ditto 26th	1 Bale ditto, A B in diamond	Accrington.
Ditto	1 Bundle ditto, Peel Bellairs	Ditto.
October 1st	1 Ditto Baggage, F. Spirling, Esq.	Str. Nemesis.
Ditto 3rd	2 Cases Merchandize, B and Co. in triangle, C	Dunmail.
Ditto	1 Case ditto, S and S in diamond	Ditto.
Ditto	1 Cask ditto, ditto	Ditto.
Ditto 4th	10 Cases ditto, J S and C	Accrington.
Ditto 12th	1 Trunk Baggage, Mr. Baldwin	Str. Nubia.
Ditto	2 Trunks ditto, No Mark	Ditto.
Ditto 18th	1 Hogshead Merchandize, C N C in diamond FF	Clarence.
Ditto	3 Packages ditto, His Excellency General Sir H Rose, Commander-in-Chief	Ditto.
Ditto	45 Cases ditto, H T S in diamond	Renown.
November 21st	12 Packages ditto, Lieutenant-Colonel Thompson	Str. Columbian.
Ditto	1 Case ditto, Lieutenant H L Jones	Ditto.
Ditto	1 Ditto ditto, H S Harrison	Ditto.
Ditto 19th	5 Cases Ditto, T and C in diamond W O	Conflict.
Ditto	1 Case Ditto, Captain Iaw, care of Allan Hayes	Ditto.
Ditto 30th	8 Packages Baggage, C S Simpson	Str. Colombo.
Ditto	1 Ditto ditto, Mr. E Symons	Ditto.
Ditto	1 Ditto ditto, F P Koe	Ditto.
Ditto	1 Bag ditto, Mme. L Honnmean	Ditto.

Date of Landing.	Mark or Address of Packages	Ship.
1860, December 1st ...	1 Case Merchandize, J E Amory, Esq., U S Vice Consul General	Uriel.
Ditto 3rd ...	7 Packages Ditto, Ml. de Roney	Imperialrice Eugenie.
Ditto 13th ...	1 Parcel Ditto, J. McNeil, care of Jardine Skinner	City of Manchester.
Ditto 14th ...	1 Bundle ditto, Captain H de Smidt	Sir. Fiery Cross.
1859, October ...	60 Cases ditto, 2nd Battalion Rifle Brigade, H B	Ship Birman.
Unknown ...	2 Ditto Merchandize, M. R J	Unknown.
Ditto ...	1 Cask Hard-ware, M, B P	Ditto.
Ditto ...	1 Cask ditto, D D and C	Ditto.
Ditto ...	1 Case Merchandize, 1st Battalion 60th Rifles, care of Thacker, Spink	Ditto.
Ditto ...	3 Hogsheads Beer, No mark	Ditto.
Ditto ...	1 Keg Oil, No mark	Ditto.
Ditto ...	2 Kegs Red Lead, No mark	Ditto.
Ditto ...	4 Cases Gin, No mark	Ditto.
Ditto ...	1 Case Hard-ware, No mark	Ditto.
Ditto ...	4 Cases Tin, No mark	Ditto.
Ditto ...	1 Cask Hard-ware, No mark	Ditto.
Ditto ...	61 Bars Iron, ditto	Ditto.
Ditto ...	5 Casks Bottled Beer, ditto	Ditto.
Ditto ...	1 Cask Empty Bottles, No mark	Ditto.
Ditto ...	1 Ditto Merchandize, B P and Co.	Ditto.

CALCUTTA CUSTOM HOUSE, }

The 25th January 1861. }

C CHAPMAN,  
Collector of Customs.

### Dalhousie Sanatarium—Punjab.

#### SALE BY PUBLIC AUCTION OF BUILDING SITES.

ON or about the 5th February will be sold by Public Auction at Dalhousie the available Building Sites in that Sanatarium, at an upset price of Rupees fifty per Acre. All intending purchasers to attend at the Auction, or to appoint Agents to bid for them. The value of the lots to be paid to the undersigned within one month from the date of Sale.

It is to be clearly understood that the rules framed by Government for the Sanatarium will be binding on all purchasers of sites.

About fifty sites will be put up to Auction.

G. A. CRASTER, *Captain,*  
*Executive Engineer.*

NOORPORE, }  
January 3rd, 1861. }

#### Notice

Is hereby given, that the Titalyah Annual Fair will commence on the 20th February 1861.

A. G. MACDONALD,  
*Magistrate.*

#### Notice

Is hereby given, that Drafts will be issued from the Lucknow Treasury, from this date, bearing a new series of general numbers commencing with 090601.

E. BICKERS,  
*Extra Assistant Commissioner,*  
*in charge of Treasury.*

LUCKNOW TREASURY OFFICE, }  
The 30th November 1860. }

#### Notice

Is hereby given, that the Lease of the Lime-bed situated in Pergunnah Jullong, at the foot of the Jynteah Hills, in the North of the District of Sylhet, will expire on the 30th April next. Parties desirous of working the bed in question are requested to apply either personally, or through their Agents to the Collector of Sylhet, by whom all particulars regarding it will be furnished. The lease now about to expire was for a period of five years.

GEORGE G. BALFOUR,  
*Collector.*

SYLHET COLLECTORSHIP, }  
The 2nd January 1861. }

Nudda Rivers' Division.  
MONTHLY STATEMENT of Traffic passed through the Toll Stations of Junagpore, Nudda and Kishengunge, in the Month of December 1860.

NAMES OF RIVERS.	Charcoal.	Coal.	Piece Goods, Native Produce.	Piece Goods, Imported Fabrics.	Hides.	Cotton.	Castor Seed.	Castor Oil.	Jaggery.	Jute.	Gunny Bags.	Lime.	Lime Stone or Gneiss.	Grain.
NAMES OF TOLL OFFICES.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.
Bhadrakote ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Junagpore ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nudda ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kishengunge ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Matabaugh ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

NAMES OF RIVERS.	Pulse.	Fire-wood.	Timbers.	Mustard Oil.	Savdy Oils.	Indigo.	Salt.	Sugar.	Tobacco.	Vegetables.	Sundries.	REMARKS.
NAMES OF TOLL OFFICES.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	Number of Boats.	
Bhadrakote ...	...	...	...	...	...	...	...	...	...	...	...	
Junagpore ...	...	...	...	...	...	...	...	...	...	...	...	
Nudda ...	...	...	...	...	...	...	...	...	...	...	...	
Kishengunge ...	...	...	...	...	...	...	...	...	...	...	...	
Matabaugh ...	...	...	...	...	...	...	...	...	...	...	...	

Under the head of GRAY, comes Rice, Wheat, Paddy, Oats, Barley, &c.; and under the head of PEAS, Gram, Kullie, Peas, Linseed, Lentil, Mustard Seed, &c., &c. are included.

T. N. ARMSTRONG, C. E.,  
Supt., Nudda Rivers.  
Dated the 8th January 1861.

# ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the two Khas Mehals, situated in the District of Midnapore, and mentioned in the Statement hereto annexed, will be put up to Sale under Orders of Government, contained in their Under-Secretary's letter addressed to the Secretary to the Board of Revenue, under date the 3rd November 1859, No. 2722, in the Midnapore Collectorate, on Friday, the 1st February 1861, corresponding with the 21st Maugh 1268 Umlee. The purchasers of such Mehals will be subject to the Conditions laid down below :—

## CONDITIONS OF SALE.

- 1st.—Estates to be sold to the highest bidders above the upset price.
- 2nd.—When the amount of purchase money does not exceed 100 Rupees, the whole amount to be paid down at once. When the amount of purchase money exceeds 100 Rupees, a deposit of Rupees 25 per Cent. to be at once made upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one, and the Mehal will be again put up to Sale.
- 3rd.—The Sale to be subject to existing leases, and to the rights conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident Cultivators who have signed the Jaminabundee made by the Revenue Authorities.
- 4th.—The annual Embankment charges of those Mehals which are assessed with such charges will be paid by the purchasers as heretofore paid by Government proportionately with other Zemindars. The executive arrangements for the repairs and maintenance of the Embankments will remain in force.
- 5th.—The amount recorded in the subjoined description of the Mehals under the heading of Sudder Jumma represents the amount for which the new Proprietor will be liable on account of the Government Revenue of each Estate.
- 6th.—The right of Government to all Minerals to be reserved.

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset price.	REMARKS.
			B. C. D.	Rs. As. P.	Rs. As. P.	
1	191	Kedar Koond Estate.				
	...	Gogram, Pergunnah Kedar Koond	1,113 5 6	724 11 8½	1,920 13 7½	The farming lease of these Mehals will expire in 1864-65=1271 Umlee. The rent paid on such lease is the amount shown in Column 5.
	...	Ambadeeghee, Pergunnah Kedar Koond	488 11 12	379 1 3	1,020 4 0½	

N. B.—These two Estates were sold in this Collectorate on the 10th October last, but on account of the default of the purchaser they are now to be re-sold.

KUMULAKUNT BYSACK,  
Deputy Collector, in charge of Treasury.

MIDNAPPOOR COLLECTORATE, }  
The 31st December 1860. }

## Bonded Warehouse.

NOTICE is hereby given to the Holder of Warrant No. 10404, dated 24th March 1859, for eighteen Frames and 242 Rolls of Felt imported by the Ship *Royal Stuart*, and deposited in the Warehouse by MESSRS. JOHN MORRISON, NEWSON, & CO., that if the rent due thereon is not paid within one month from this date, the Association will proceed, under the 20th of its Bye Laws, to sell the same or so much thereof as may be necessary to pay the arrears of rent and all costs and charges in respect thereof.

H. W. J. WOOD,  
Secretary.

CALCUTTA, }  
The 15th January 1861. }

## Bonded Warehouse.

NOTICE is hereby given to the Holder of Warrant No. 10690, dated 15th July 1859, for fifty Frames F. R. of Patent Felt imported by the Ship *Augustus Wattenbach*, and bonded by Baboo Beharryloll Day, that if the rent due thereon is not paid within one month from this date, the Association will proceed, under the 20th of its Bye Laws, to sell the same or so much thereof as may be necessary to pay the arrears of rent and all costs and charges in respect thereof.

H. W. J. WOOD,  
Secretary.

CALCUTTA, }  
The 15th January 1861. }

## ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to the several Khas Mehals, situated in the District of 24-Pergunnahs, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of Government dated the 3rd November 1859, No. 2722, in the 24-Pergunnahs' Collectorate on the 4th February 1861 and following days, corresponding with 23rd Magh 1267 B. S. The purchaser of such Mehals will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the Right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds 100 Rupees, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one.

5th.—The right of Government to all Minerals to be reserved:—

Number.	Number on the Towhee.	Name of Mehal and Pergunnah.	Area of Mehal.	Sudder Jumma.	Upset Price.	REMARKS.
			B. C. Ch. O.	Rs. As. P.	Rs. As. P.	
1	30	Pergunnah Magoorah Chuk Bollsing...	190 3 11 0	192 4 1	364 8 2	
2	41	Iditto Mooragatcha, Mouzah Loo- den, &c.	889 16 2 12½	703 7 11	1406 15 10	* An undetermined claim to 60B. 10C. 7Ch. of this area as rent-free.
6	73	Pergunnah Sahapore, Mouzah Ramlo- chupore, &c.	049 10 3 0	550 10 5	1101 4 10	
8	■	Pergunnah Magoorah, Mouzah Chun- demut	185 10 13 0	108 10 0	397 5 5	
7	111	Pergunnah Mooragatcha, Mouzah Kannarpole, &c.	11493 3 0 0	11518 11 0½	23037 8 0½	
9	113	Pergunnah Azimabad, Mouzah Adipore, &c.	6138 11 0 0	6510 11 2	13033 6 4	An undetermined claim to 171B. 14C. of this area as rent-free.
10	154	Pergunnah Magoorah, Mouzah Chal- warra, &c.	10745 11 10 0	17063 12 2	35027 8 4	An undetermined claim to 474, 16C. 9Ch. 15G.
14	310	Pergunnah Mooragatcha, Mouzah Dabi- pore, &c.	1012 1 0 0	1216 7 8	2432 15 4	
15	311	Pergunnah Mooragatcha, Mouzah Ekta- ra, &c.	4121 0 2 11	2725 0 0	5450 0 ■	An undetermined claim to 736B. 16C. 6Ch.
16	312	Pergunnah Mooragatcha, Mouzah Bel- singah, &c.	10635 10 0 10	8799 7 0	17598 14 0	An undetermined claim to 837B. 17C. 3Ch.
■	336	Pergunnah Sahapore, Mouzah Bono- mollypore, &c.	12566 11 14 5	For 1267 B. S. 10712 13 9 For 1268 B. S. 10722 6 10 For 1269 B. S. 10732 0 0 For 1270 B. S. 10 41 9 1 From 1271 to 1277 per year. 1075, 14 8	21611 15 0	
22	355	Pergunnah Balesah, Mouzah Nowhaza- ree, &c.	3372 6 7 0	5332 3 2	10704 6 4	An undetermined claim to 300B. 20C. 6Ch.
24	374	Pergunnah Hattenghur, Mouzah Gopal- singore, &c.	502 10 3 ■	483 13 2	967 10 4	
25	384	Pergunnah Boridhoty, Mouzah Monoo- rauz, &c.	10043 1 6 0	7989 4 8½	14678 9 4	An undetermined claim to 818B. 0C. 14Ch
26	411	Pergunnah Magoorah, Mouzah Dhon- khola, &c.	2071 16 0 9	2551 3 6	5102 7 0	An undetermined claim to 144B. 8C. 15Ch. 7½G.



Number.	Number on the Towhee.	Name of Mohal and Pergunnah.	Area of Mohal.	Sudder Jumma.	Upset Price.	Remarks.
27	419	Pergunnah Magoorah, Mouzah Ban- poolsoorah ...	661 5 0 0	889 10 10	1179 5 8	An undetermined claim to 7611, 70. 8Ch.
29	1531	Pergunnah Hattaghar, Mouzah 2nd Bhuggehampore ...	2389 8 4 0	1241 5 0	2482 10 0	
30	414	Pergunnah Mooragatcha, Mouzah In- sourbarah, &c. ...	1586 0 8 0	775 15 6	1551 15 0	
31	432	Pergunnah Hattaghar, Abad Kadonah &c. ...	6806 13 11 0	From 1267 to 1274 H. E. per year. 2554 5 2 For 1274. 2575 1 3 For 1275. 2595 11 3 For 1277. 2637 1 11 For 1278. 2678 7 7 For 1279. 2710 13 10	5439 11 8	
35	443	Pergunnah Pechacooly, Mouzah Kurri- barah, &c. ...	4852 13 11 11	5505 3 2	11132 8 4	
37	444	Pergunnah Boridhoty, Mouzah Bung- soodharpore, &c. ...	2224 0 11 0	2625 0 0	5250 0 11	
38	983	Pergunnah Hahiliachur, Mouzah Konah Pergunnah Calcutta, Mouzah Chundi- barah ...	1 1 10 0	9 0 5	4 0 10	
40	1072	Pergunnah Mooragatcha, Mouzah Mo- samarah, &c. ...	111 10 0 0	69 14 3	137 12 6	
41	1073	Pergunnah Mooragatcha, Mouzah Mo- samarah, &c. ...	447 7 11 11	237 8 0	475 11 0	
45	1074	Pergunnah Calcutta, Mouzah Teghur- rah, &c. ...	308 11 0 0	195 14 7	389 13 2	
49	1075	Pergunnah Hattaghar, Mouzah Surin- barah ...	552 11 0 0	215 9 8	431 8 4	
50	1070	Pergunnah Calcutta, Mouzah Titta- ghurra ...	1 1 0 0	0 15 8	1 15 4	
55	1071	Ditto ...	0 4 0 0	0 2 1	0 2 2	
60	1072	Ditto ...	1 1 11 0	1 3 7	2 7 2	
61	1704	Ditto ...	5 1 8 0	3 0 2	5 12 4	
62	1705	Ditto ...	0 4 8 0	0 2 4	0 6 8	
63	1706	Ditto ...	2 3 12 0	1 7 4	2 14 8	
64	1710	Ditto ...	1 5 0 0	0 13 4	1 10 8	
65	1711	Ditto ...	0 13 12 11	0 7 4	0 14 8	
66	1712	Ditto ...	1 15 15 0	1 0 5	2 0 10	
67	1715	Ditto ...	7 0 0 0	4 10 8	9 5 4	
68	1716	Ditto ...	3 17 0 0	2 9 1	5 2 2	
69	1719	Ditto ...	0 16 0 0	0 8 7	1 1 2	
70	1720	Ditto ...	0 16 0 11	0 9 7	1 3 2	
71	1721	Ditto ...	1 5 0 0	0 13 4	1 19 8	
72	1723	Ditto ...	0 10 4 11	0 5 6	0 11 0	
88	1495	Pergunnah Magoorah, Mouzah Chontee Pergunnah Azimabad, Mouzah Gabbau- do ...	0 5 6 0	0 9 2	1 2 4	
89	1496	Pergunnah Hattaghar, &c., Mouzah Bansbarah, &c. ...	1 16 11 0	1 8 0	3 0 0	
9	42	Pergunnah Hattaghar, &c., Mouzah Bansbarah, &c. ...	294 2 7 8	130 0 0	130 0 0	
4	46	Pergunnah Hattaghar, Mouzah Binda- bumpore, &c. ...	214 0 12 1	110 0 0	110 0 0	
11	165	Pergunnah Hattaghar, &c., Mouzah Rajampore, &c. ...	1334 15 2 13	600 0 0	600 0 0	
13	435	Pergunnah Hattaghar, Mouzah Kasi- nagore ...	8812 1 8 0	5000 0 0	5000 0 0	
34	436	Pergunnah Hattaghar, Abad Gobind- pore ...	678 14 0 0	370 0 0	370 0 0	
35	437	Pergunnah Pechacooly, Mouzah Se- moobarah, &c. ...	535 11 4 0	580 14 9	580 14 9	
12	289	Pergunnah Maddeamullo, Mouzah Kishorepore, &c. ...	160 13 6 11	73 13 2	100 0 0	
14	433	Pergunnah Hattaghar, Abad Belpoo- koorah ...	6484 14 4 0	2283 13 11	3232 12 1	
41	1080	Pergunnah Mylhoty, Mouzah Enam- pore, &c. ...	519 10 8 0	413 2 9	543 2 10	
116	1168	Pergunnah Calcutta, Mouzah Kharren- bah, &c. ...	1074 11 3 19	774 9 4	868 14 10	
34	1266	Pergunnah Basidpore, Mouzah Luckhi- nathpore, &c. ...	167 16 11 10	102 8 1	190 0 1	

C. H. CAMPBELL,  
Offg. Collector.

COLLECTOR'S OFFICE;  
24-PERGUNNAHS,  
The 2nd January 1861.

**MAJOR ROBERT CAMPBELL BARCLAY, deceased.**  
Pursuant to the Act of Parliament of the United Kingdom, 22nd and 23rd Vic. cap. 35, intituled an Act to further amend the Law of Property and to relieve Trustees. Notice is hereby given to all Creditors and other persons having any claim or demand on or against the Estate of Robert Campbell Barclay, late of Kurruntadhee, Buxar, in the East Indies, Major in the 68th Regiment of Bengal Native Infantry, (who died on the 2nd day of September 1859; and the administration of whose Estate and Effects was, on the 24th day of January last, granted by Her Majesty's Court of Probate to Mary Ann Barclay, of South Town, Great Yarmouth, in the County of Norfolk, in England, widow,) are, on or before the first day of March next, to send in the particulars of such claims and demands to the said Mary Ann Barclay, or to Messrs. Clarke and Morice, of 29, Coleman Street, London, her Solicitors, or to the undersigned Charles William Hatch, of 11, Old Post Office Street, Calcutta, her Agent in that behalf; and in default thereof, the said Mary Ann Barclay will proceed to distribute the Assets of the said deceased, and will not be liable for such Assets or any part thereof so distributed to any person, of whose claim she shall not then have had notice. Dated this 15th day of December 1860.

C. W. HATCH.

**Statement of the Affairs of the Bank of Bengal for the Week ending 23rd Jan. 1861.**

[illegible]

Directors—  
Geo. Dixon,  
Secretary and Treasurer.

Published by order of the Directors.

Geo. Dixon,

**G. W. MOULTON,**  
*Attorney.*

**Court for the Relief of Insolvent Debtors ■ Calendar**

In the matter of George Henry Brookes, of Free School Street, in Calcutta, an Assistant in the Office of the Controller and Auditor of Public Works Accounts, an Insolvent. On Friday, the 18th day of January instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 6th day of April next, and that the said Insolvent do then attend to be examined by the said Court.

Orr and Bonnerjee, *Attorneys.*

In the matter of George Henry Brookes, of Free School Street, in Calcutta, an Assistant in the Office of the Controller and Auditor of Public Works Accounts, an Insolvent. } Notice, that the petition of the said Insolvent, seeking the benefit of the Act XI, Vic. cap. XXI, was filed in the Office of the Chief Clerk on the 18th day of January instant, and by an order of the same date the Estate and Effects of the said Insolvent were vested in the Official Assignee.

Orr and Bonnerjee, *Attorneys.*

In the matter of Sambuchunder Holdar, formerly of Budge-Budge, in the Zillah of 24-Pergunnahs, but at present of Muckunwul-lah Gully, in Calcutta, Zemindar, an Insolvent. } On Monday, the 21st day of January instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 6th day of April next, and that the said Insolvent do then attend to be examined by the said Court.

Piddington, Attorney.

In the matter of Sumboochunder Holdar, formerly of Budgetge, in the Zillah of 24-Pergunnahs, but at present of Mucknwallah Gully, in Calcutta, Zemindar, an Insolvent. Notice, that the petition of the said Insolvent, seeking the benefit of the Act XI., Vic. cap. XXI., was filed in the Office of the Chief Clerk on the 21st day of January instant, and by an order of the same date the Estate and Effects of the said Insolvent were vested in the Official Assignee.

Piddington, Attorney.

*Chief Clerk's Office, the 25th January 1861.*

**Lost, Stolen, or Destroyed.**

THE under-mentioned Government Promissory Note, standing in the names of Captain W. R. Hillersdon and G. Herresford, the owners, by whom it was never endorsed to any person. Payment of the Note, and of Interest thereon, has been stopped, at the Loan Office, and application is about to be made for the issue of a duplicate:—

*Particulars of the Government Security.*

No. 6258 of 19886 of 1842-43, for Rs. 14,000.

**J. WELCH,**

Off. Adm. Genl.

COPIES OF THE  
Report of the Indigo Commission,  
TOGETHER WITH  
The whole of the Evidence  
TAKEN BEFORE THE COMMISSION,  
AND THE  
APPENDICES, Nos. I., II., AND III.,

Can be had on application to the PRINTER of the  
*Calcutta Gazette*, Bengal Office, at 8 Rupees per  
copy.

Lost, Stolen, or Destroyed,

THE under-mentioned Government Promissory  
Notes, standing in the names of Syed Ali Nuckee  
and Syed Mohamed Tuckee, the Proprietors, by  
whom they were never endorsed to any other  
person. Payment of the Notes, and of Interest  
thereupon, have been stopped at the Loan Office,  
and application is about to be made to Govern-  
ment for the issue of duplicate Notes in favor of  
the Proprietors :—

No. 15615 of 1854-55 for Cos. Rs. 12,000.  
" 31782 of " " 4,000.

SYED ALI NUCKEE  
AND  
SYED MOHAMED TUCKEE.

LUCKNOW,  
The 16th January 1861. }

Lost at Bhaugulpore.

SECOND-HALF of a Bank of Bengal Note, No.  
16736, for Company's Rupees 15.

Second-half of a Bank of Bengal Note, No.  
95633, for Company's Rupees 15.

First-half of a Bank of Bengal Note, No.  
16772, for Company's Rupees 15.

The payment of the above Notes has been  
stopped in the Bank of Bengal.

NOTICES issued by the  
POST-MASTER of CALCUTTA.

No. 2653.

The 24th January 1861.—Notice is hereby  
given, that the Mails for Akyab, Rangoon, and  
Moulmein, for transmission per Steamer *Burmah*,  
will be closed at this Office on Friday, the  
1st proximo, at 6 P. M.

No. 2685.

The 25th January 1861.—The Public are inform-  
ed that an Express Packet, to the extent of 200  
Ounces, will be sent to Bombay on Monday, the 4th  
proximo, and Letters will be received up to 6 P. M.  
of the same day.

Each Firm or Individual will be allowed to  
send Letters up to one Ounce in weight, and the  
Express Postage must be paid in cash at the  
Window at one Rupee for quarter of an Ounce in  
addition to the Steamer Postage paid by Stamps.

No. 2686.

The 25th January 1861.—The Overland Mail,  
per Steamer *Nubia*, will be closed on Friday, the  
8th proximo, at 6 P. M.

Letters for Madras, Ceylon, the Straits, China,  
Mauritius, and Australia, can be sent by this  
opportunity.

	Weight.	Via Marseilles.	Via Southampton.
Postage.	Under 1 ounce	Rs. 0 6 0	Rs. 0 4 0
	" 1 "	" 0 8 0	" 0 4 0
	" 2 "	" 0 14 0	" 0 8 0
	" 1 "	" 1 0 0	" 1 0 0
	" 2 "	" 2 0 0	" 1 0 0

PACKETS for the reception of Letters by the following Ships are open at this Office :—

NAMES OF VESSELS	Agents.	Intended Departure.	For what Port.	Touching at	REMARKS.
Steamer <i>Nubia</i> ...	P. & O. S. N. Co. ...	8th proximo	Suez	Madras, Ceylon, & Aden.	
" <i>Burmah</i> ...	Mackinnon, McKenzie, & Co	2nd "	Moulmein	Akyab and Rangoon.	

The 25th January 1861.



# APPENDIX TO The Calcutta Gazette.

SATURDAY, JANUARY 26, 1861.

## LAND SALE NOTICES.

NOTICE is hereby given, under Section VI., Act XI. of 1859, that the under-mentioned Estates in Zillah Rungpore will be put up to public and unreserved sale at the Collector's Office of that District, on the 9th February 1861, corresponding with the 28th of Mangh 1267 B. S. for arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as arrears of Revenue due on the 12th of January 1861:—

### *Class I.—Permanently-settled Mehat.*

No. 8.—Mouzah Dhamoor, &c., in Chuekla Fattteypore; recorded proprietor, Moharajah Nurrender Narain Bhoop Bahadur, Essur Chunder, Hurehunder Choudry and Fokeerchunder Shah, with the exception of Mouzah Nij Dhamoor, belonging to Fokeerchunder Shah and *has, 6g. 2k. 2c.* share of the remaining portion of the Estate belonging to Moharajah Nurrender Narain Bhoop Bahadur, the right and interest in *10as. 13g. 1k. 1c.* share of Essur Chunder and Hurehunder Choudry, only is to be sold; *sudder jumma* Rupees 1,314-2-5.

No. 83.—Mouzah Burdah, &c., in Chuekla Carzeehaut; recorded proprietor Nub Dip Chunder Shah, Joy Monee Dassea, Mother of Raj Koomaree Dassea, Minor, Mouzah Burdah, bearing the proportionate *sudder jumma* of Rupees 456-11-5, belonging to Joymonee Dassea, the account of which has been separately kept under the provisions of Section XI., Regulation XI. of 1859 is to be sold. The *sudder jumma* of the entire Estate is Rupees 1,759-6.

E. LOCKWOOD,  
*Deputy Collector, in charge.*

RUNGPORE,  
Collector's Office,  
The 18th January 1861. }

NOTICE is hereby given, under Section VI., Act XI. of 1859, that the under-mentioned Estate in Zillah Dinagepore will be put up to public and unreserved sale at the Collector's Office of that District, on the 16th day of February 1861, for arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as arrears of Revenue due on the 12th January 1861:—

### *Class I.—Permanently-settled Estate.*

No. 253.—Mouzah Munceerampoor, &c., Pergunnah Geelabaree, recorded proprietor, Sekoo Mahomed Chowdry; *sudder jumma*, Rupees 4,353-4-4½.

E. GREY,  
*Officiating Collector.*

DINAREPOOR COLLECTORATE, }  
The 18th January 1861. }

NOTICE is hereby given, under Section VI., Act XI. of 1859, that the under-mentioned Estates in Zillah Bhagulpore will be put up to public and unreserved sale at the Collector's Office of that District, on the 11th day of February 1861, for arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as arrears of Revenue due on the 12th day of January 1861:—

### *Class I.—Permanently-settled Estates.*

No. 276.—Mouzah Salarpoor, Pergunnah Colgong; recorded proprietor, Rancee Radha Chowdrian; *sudder jumma*, Rupees 830-15.

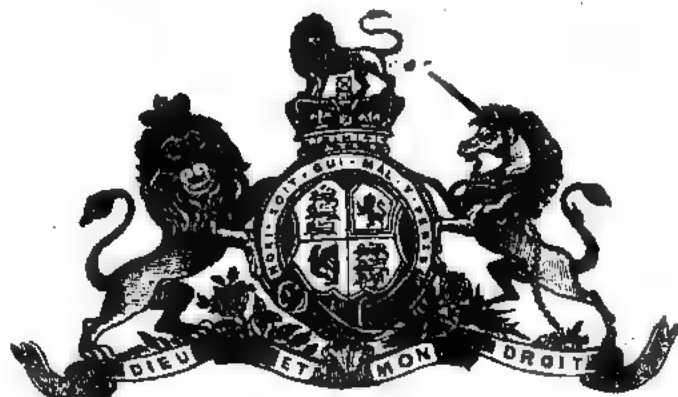
### *Class IV.—Estates to be sold for arrears due on other Estates.*

Five Gundas of the Rights and Interest of Lulit Narain Singh in Mouzah Surwurpoor Sojawul, appertaining to Talookah Dhabdhurra, Pergunnah Chye, Towjee No. 352; entire *sudder jumma*, Rupees 8,208-4-24.

BHAGULPORE COLLECTORATE; }

The 22nd January 1861. }

J. S. ARMSTRONG,  
*Assistant Collector, in Charge.*



# The Calcutta Gazette.

WEDNESDAY, JANUARY 30, 1861.

## LEGISLATIVE COUNCIL OF INDIA.

THE 19TH JANUARY 1861.

THE following Act, passed by the Legislative Council of India, received the assent of the Right Honorable the Governor-General on the 12th January 1861, and is hereby promulgated for general information:—

Act No. 1 of 1861.

*An Act for the improvement of the administration of Justice and despatch of business in the Supreme Court of Judicature in Bombay.*

WHEREAS it is expedient to effect an improvement in the administration of Justice and despatch of business in the Supreme Court of Judicature in Bombay: It is enacted as follows:—

I. From and after the passing of this Act, it shall be lawful for any one of the Judges of the Supreme Court of Judicature at Bombay, when occasion shall so require, to sit apart from the other Judges or Judge, as the case may be, of the same Court, for the despatch of the Plea Side, or the Equity, or other business of the said Court, at the same time when the other Judges or Judge, as the case may be, of the said Court, shall be sitting for the despatch of business of any description in the said Supreme Court: and all proceedings whatever so had by and before such Judge so sitting apart for the purpose aforesaid, shall be good, valid, and effectual in law to all intents and purposes as fully as if the said proceedings were had before all the Judges of the said Court.

II. The said Court shall issue such new Rules and Orders as may be necessary for the purpose of giving full effect to the provisions herein contained.

M. WYLLIE,  
Clerk of the Council.

THE 19TH JANUARY 1861.

THE following Bill was read a second time in the Legislative Council of India on the 19th January 1861, and was referred to a Select Committee who are to report thereon after the 23rd of March next:—

*A Bill for extending certain provisions of Acts XIV and XXV of 1856 to the Town and Suburbs of Rangoon, and to the Towns of Moulmein, Tavoy, and Mergui, and for appointing Municipal Commissioners, and for levying rates and taxes in the said Towns*

WHEREAS it is expedient to provide for the conservancy and improvement of the Town and Suburbs of Rangoon, and the Towns of Moulmein, Tavoy, and Mergui, for the appointment of Commissioners, and for assessing and levying rates and taxes for municipal purposes in the said Towns; It is enacted as follows:—

I. The provisions of Act XIV of 1856, entitled "An Act for the conservancy and improvement of the Towns of Calcutta, Madras, and Bombay, and the several Stations of the Settlement of Prince of Wales' Island, Sin-

Provisions of Act XIV of 1856 extended to - Rangoon, Moulmein, Tavoy, and Mergui.

Singapore, and Malacca," are hereby extended to the Town and Suburbs of Rangoon, and to the Towns of Moulmein, Tavoy, and Mergui, and the word "Town" in Section II of the said Act is hereby declared to include all places within the limits of the said Town and Suburbs of Rangoon, and the said Towns of Moulmein, Tavoy, and Mergui, as those limits shall be, from time to time, determined and declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively; provided that the

**Proviso.** interpretation of the word "Owner" in Section II of the said Act shall not be in force in the said Town of Rangoon, and that the said word shall mean the registered owner of the land or premises in connection with which the word is used.

**II. Act XXV of 1856,** entitled "An Act to comprise in one Act the provisions necessary for the assessment and collection of Municipal rates and taxes in the Towns of Calcutta, Madras, and Bombay, and the several Stations of Prince of Wales' Island, Singapore, and Malacca," is incorporated with this Act; and in construing the said Act as incorporated

**Construction.** with this Act, the expression "the special Act" shall mean this Act, the word "Town" shall include all places within the limits of the Town and Suburbs of Rangoon, and of the Towns of Moulmein, Tavoy, and Mergui, as those limits, shall, from time to time, be determined and declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively, the expression "the Commissioners" shall mean the Municipal Commissioners appointed by this Act, and the expression "the local Government" shall mean the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively. **Provided** that Sections I, II, III, IV, V, VI, VII, VIII, IX, X, XI, and XII, of the said Act XXV of 1856 shall not have effect in the limits of the said Town and Suburbs of Rangoon, and that the appeals referred to in Sections XVII, XVIII, and XIX of the said Act shall, in the said Town and Suburbs of Rangoon, and in the said Towns of Moulmein, Tavoy, and Mergui, be heard and determined by two Magistrates.

**III. At each of the said Towns of Rangoon, Moulmein, Tavoy, and Mergui,** there shall be five Commissioners for the purposes of this Act, and for the conservancy and improvement of the said Towns, who shall be called respectively the Municipal Commissioners of Rangoon, the Municipal Commissioners of Moulmein, the Municipal Commissioners of Tavoy, and the Municipal Commissioners of Mergui, and who shall by such name be a body corporate and have perpetual succession and a common seal, and by such name shall sue and be sued.

**IV. At the said Town of Rangoon the Deputy Commissioner and the Town Magistrate shall be Municipal Commissioners, and three rate-payers shall be selected and**

**nominated as Commissioners by the Commissioner of Pegu, and shall enter upon their office on the**

**Tenure of office.** first day of January after their nomination, and shall hold their office for one year, and be eligible for re-nomination. The Commissioner of Pegu shall nominate one of the said five Commissioners to be President of the Board of Commissioners.

**V. At the said Towns of Moulmein, Tavoy, and Mergui, the Deputy Commissioner or other Chief Civil authority of the District in which the Town is situated, shall be one of the Municipal Commissioners, and four rate-payers, of whom one at least shall be an Officer of Government, shall be selected and nominated as Commissioners by the Commissioner of the Tenasserim and Martaban Provinces, and shall enter upon their office on the**

**Tenure of office.** first day of January after their nomination, and shall hold their office for one year, and be eligible for re-nomination. The Commissioner of the Tenasserim and Martaban Provinces shall nominate one of the said Commissioners in each of the said Towns of Moulmein, Tavoy, and Mergui to be President of the Board of Commissioners.

**VI. The Municipal Commissioners appointed** under this Act shall meet once in every week at least. The attendance of three Commissioners shall be necessary to constitute a meeting. The President, or in his absence the Chairman chosen by the Commissioners present, shall have a second or casting vote on all questions on which the Commissioners present are equally divided in opinion.

**VII. All Town lots as originally granted, all Assessment on dwelling houses situated on Town lots &c. in Suburban allotments and in Rangoon.** yards, within the limits of the Town and Suburbs of Rangoon, as those limits shall be from time to time determined and declared by the Commissioner of Pegu, shall be liable to a monthly rate as specified in the annexed Schedule A, which rate shall be payable quarterly by the registered owner of the same. Whenever the registered owner of the lot shall fail to pay the amount of such rate on demand, the occupant or occupants of the whole or any portion of the tenement or tenements on the lot shall be jointly and severally chargeable with the same, as provided in Section XIV of the Suburban allotment rules.

**VIII. Houses, buildings, and lands in the said Towns of Moulmein, Tavoy, and Mergui, shall be liable to an annual rate, to be fixed from time to time by the Commissioner of the Tenasserim and Martaban Provinces, but in no case exceeding seven and a half per centum of the annual value of**



the houses, buildings, and lands subject to such rate. The rate fixed by the Commissioner shall, from time to time, be publicly notified, and shall be payable quarterly by the owners of the said houses, buildings, and lands.

**IX.** Houses and buildings used exclusively as places of public worship, or for charitable purposes, burial grounds, hospitals, Sepoys' lines, and all buildings and lands the property of Government, shall not be liable to the rates specified in the last two preceding Sections.

**X.** The Municipal Commissioners in Moulmein, Tavoy, and Mergui, may exempt from assessment any house, building, or land, the annual value whereof is less than twelve Rupees, if the same be the sole rateable property of the owner.

**XI.** When any house or building in the Towns of Moulmein, Tavoy, and Mergui, shall have been vacant for sixty consecutive days during any year, the Municipal Commissioners shall remit so much of the rate for that year as may be proportionate to the number of days the said house or building may have remained unoccupied, provided that the owner of the said house or building, or his agent, shall have given notice in writing of the vacancy thereof to the said Commissioners, and that the amount of rate to be remitted shall be calculated from the date of the delivery of such notice.

**XII.** A Tax shall be imposed upon all carriages, wagons, carts, horses, ponies, mules, and elephants, kept within the said Town and Suburbs of Rangoon and the said Towns of Moulmein, Tavoy, and Mergui, and upon all boats plying in the Port of Moulmein, at the rates specified in the annexed Schedule B., and shall be paid quarterly by the owners or parties in charge of the same.

**XIII.** Provided that the several vehicles and animals hereinafter mentioned shall be exempt from the tax, namely:—

1. Gun Carriages, and Ordnance and Commissariat Carts and Wagons.
2. Horses and ponies belonging to Officers doing regimental duty, at the rate of one horse or pony for each Officer.
3. Conservancy carts, horses, ponies, mules, and elephants, belonging to the Municipal Commissioners.
4. Vehicles and animals kept for sale and not used for any other purpose, if kept by bond fide dealers in such vehicles and animals.
5. Wagons and carts kept within estates and plantations and not used upon the public roads, having the name of the owner painted on some

conspicuous part thereof in letters not less than two inches in length, and registered at the Office of the Commissioners.

6. All animals kept within estates or plantations and not used upon the public roads.

7. Ponies under eleven hands, and children's carriages, the wheels of which do not exceed twenty-four inches in diameter.

**XIV.** Every person who may have owned or had charge of any vehicle or animal kept within any of the said Towns for a period exceeding thirty days in any quarter shall be liable to the whole tax for that quarter. If the period do not exceed thirty days, no tax shall be chargeable for that quarter. Provided that when any person owning or having charge of vehicle or animal shall transfer the same to another person, he shall give notice thereof to the Commissioners within one week from the date of such transfer, or, if he fail to give such notice, shall be liable to the whole tax for the quarter, although the period during which he may have owned or had charge of such vehicle or animal shall not have exceeded thirty days.

**XV.** When a carriage shall have been under repair at a carriage-maker's for more than thirty days in any quarter, the Commissioners shall remit so much of the tax for that quarter as may be proportionate to the number of days the said carriage may have been under repair.

**XVI.** The Municipal Commissioners, at their discretion, may compound for any period not exceeding one year, with livery stable-keepers and other persons keeping carriages and horses for hire, for a certain sum to be paid for the carriages and horses so kept by such persons, in lieu of the taxes specified in the Schedule.

**XVII.** Every carriage kept and let out for hire, and every wagon and cart kept or used within the said Suburbs or Town of Rangoon, or within any of the said Towns of Moulmein, Tavoy, or Mergui, and every boat plying for cargo or passengers in the Port of Moulmein, shall be registered in the Office of the Municipal Commissioners with the name and residence of the owner, and shall bear the number of such registration in such manner as the said Commissioners shall direct. The registration shall be made and the numbers assigned annually upon such day in each year as the Commissioners shall appoint. Any person becoming possessed within the year of any such carriage, wagon, cart, or boat, which has not been registered, may obtain registration on application to the said Commissioners at their Office. When any registered carriage, wagon, cart, or boat, is transferred within the year, it shall be registered anew in the name of the person to whom it has been transferred.

A fee of four annas shall be paid for each registration.

XVIII. Whoever keeps within the said Suburbs or Town of Rangoon, or within any of the said Towns of Moulmein, Tavoy, or Mergui, or within the Port of Moulmein, any such carriage, wagon, cart, or boat, required to be registered by the last preceding Section, without being so registered, shall, on conviction before a Magistrate, be liable to a fine not exceeding ten Rupees; and the Municipal Commissioners, or any Officer duly authorized by them, may seize or cause to be seized any such carriage, wagon, cart, or boat, (provided the same be not employed at the time of seizure in the conveyance of any passengers or goods,) together with the horses, bullocks, or other animals drawing the same, and may deliver them over to the Police; and all Police Officers are hereby required, on the application of the said Commissioners or other Officer as aforesaid, to seize and detain the same. If the carriage, other vehicle, or boat as aforesaid, be not claimed, or if the fine be not paid within ten days, such carriage, vehicle, or boat, together with the animals seized with it, may be sold by order of the Magistrate, and the proceeds applied to the payment of the fine, and all costs and charges incurred on account of the detention and sale, and the surplus, if any, if not claimed by the owner within a further period of twenty days, shall be paid to the Municipal Commissioners.

XIX. All monies received by the Municipal Commissioners by virtue of this Act, or of Act XIV of 1856, or of any other Act of the said Town and Suburbs of Rangoon, or of the said Towns of Moulmein, Tavoy, or Mergui, shall form a fund which shall be called the "Municipal Fund" of the Town at which the same shall have been so received: the Municipal Fund of each Town shall be under the direction, management, and control of the Municipal Commissioners of such Town, who shall in the first instance appropriate such sum as may be declared by the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces respectively to be necessary for the payment and maintenance of the Police Force in each of the said Towns, and for the payment of the Office establishments of the Magistrate and Commissioner of Police (but not including the salary of any such Magistrate or Commissioner), such sum to be paid at the times and in the manner which the Commissioner of Pegu and the Commissioner of the Tenasserim and Martaban Provinces may respectively direct; and shall apply the residue to the purposes of this Act, and the Incorporated Act, and of Act XIV of 1856.

XX. All fines and penalties imposed under this Act, and all fees received under the operation of this Act, and all tolls received at any public ferry within the limits of the said Town and Suburbs of Rangoon, or of the said Towns of Moulmein, Tavoy, or Mergui, or of the Port of Moulmein, shall be paid to the Municipal Commissioners of the Town at

which the same shall have been imposed or received and shall be carried to the credit of the Municipal Fund of such Town.

XXI. This Act shall commence and take effect on and after the day of 1861.

#### SCHEDULE A.

	Rs.	As.	P.
1st Class lots	...	6	8 0
2nd Class lots	...	3	4 0
3rd Class lots	...	1	2 0
4th Class lots	...	0	14 0
5th Class lots	...	0	10 0

#### SCHEDULE B.

	Rs.	As.	P.
For every four-wheeled carriage on springs	...	24	0 0 a year.
For every two-wheeled carriage on springs	...	18	0 0 "
For every wagon drawn by man or beast	...	16	0 0 "
For every cart drawn by cattle	...	12	0 0 "
For every cart drawn by man	...	8	0 0 "
For every horse, pony, or mule	...	4	0 0 "
For every elephant	...	20	0 0 "
For every boat plying for passengers or cargo	...	6	0 0 "

M. WYLIE,  
Clerk of the Council.

THE 19TH JANUARY 1861.

THE following Bill was read a second time in the Legislative Council of India on the 19th January 1861, and was referred to a Select Committee who are to report thereon after the 23rd of April next:—

*A Bill to make certain amendments in the Articles of War for the Government of the Native Officers and Soldiers in Her Majesty's Indian Army.*

WHEREAS it is expedient to make certain amendments in the Articles of War provided by Act XIX of 1847, and to embody therewith the provisions of

Act VI of 1860; It is hereby enacted as follows:—

I. From and after the <sup>the</sup> Repeal of Act XIX of 1847 and Act VI of 1860, the Articles of War provided by Act XIX of 1847 and Act VI of 1860 are repealed.

II. The following Articles of War shall, from and after the said day, be the Enactment of the Articles of War for the Government of the said Native Officers and Soldiers in the Military Service of Her Majesty, and for the Administration of Justice by Courts Martial to be holden on such Officers and Soldiers. Provided always that all crimes and offences committed against the Articles of War provided by Acts XIX of 1847 and VI of 1860 aforesaid may be enquired of and punished in like manner as if they had been committed against the Articles of War hereby provided; and that every Warrant for holding any Court Martial under the Articles of War provided by the Acts now repealed shall remain in full force notwithstanding the repeal of such Articles; and that all proceedings of any Court Martial upon any trial begun under such Articles shall not be discontinued by the repeal of the same.

## Articles of War.

### SECTION I.

#### *Of Enlisting and Discharges.*

##### ARTICLE 1.

Every Recruit, prior to being enrolled in his Regiment, shall have the first four Articles of the Second Section of these Articles of War read and explained to him, and when reported fit for duty in the Ranks, any usual declaration or charge shall be made to him by the Officer Commanding, in front of the Regiment or Corps, in presence of the Native Officers and Soldiers, and the Recruit shall then, in front of the Guns or Colours, make the subjoined solemn affirmation:—

I, ———, solemnly affirm in the presence of Almighty God, that I will be faithful to Her Majesty the Queen, and will go wherever I am ordered by land or sea, and will obey all commands of the Officers set over me, and defend these Guns (or Colours) with my life.

##### ARTICLE 2.

No Commissioned Officer shall be dismissed except by the sentence of a General Court Martial. Provided that the Governor-General in Council in his executive capacity, and the Governor in Council and the Commander-in-Chief

of any Presidency to which a Commissioned Officer may belong, shall have power to order his discharge. Every dismissal or discharge of a Commissioned Officer shall involve forfeiture of all claim to pension.

##### ARTICLE 3.

Non-Commissioned Officers and Soldiers shall be liable to discharge by order of the Governor-General in Council, or the Governor in Council or the Commander-in-Chief of the Presidency to which they may belong.

The Commanding Officer of every Regiment subject to these Articles of War shall have power to discharge any Native Soldier below the rank of a Non-Commissioned Officer, and to dismiss or reduce to the ranks any Non-Commissioned Officer belonging to such Regiments; and every such dismissal or discharge shall involve forfeiture of pension.

All Non-Commissioned Officers and Soldiers discharged the service shall be furnished by the Commanding Officer of the Regiment with a discharge Certificate, made out in the Vernacular language of the individual discharged, with an English translation, expressing the authority for, and cause of, such discharge and the period of his entire service in the Army.

Provided that no Non-Commissioned Officer shall be reduced to the Ranks for any limited period; nor suspended from his rank; nor reduced from a higher to a lower grade of Non-Commissioned Officer.

##### ARTICLE 4.

No Non-Commissioned Officer or Soldier shall enlist himself in any other Regiment without a regular discharge from his former Regiment, under the penalty of being reputed a deserter, and suffering accordingly.

### SECTION II.

#### *Crimes and Punishments.*

*Crimes punishable with Death, Transportation, or other Punishment, by General Court Martial.*

##### ARTICLE 5.

Any Officer, or Soldier, who shall begin, excite, cause, or join in any mutiny or sedition in the Regiment or Corps to which he belongs, or in any other Corps or Regiment whatsoever, on any pretence whatever; or who, being present at any mutiny or sedition, shall not use his utmost endeavours to suppress it; or who, coming to the knowledge of any mutiny, intended mutiny, or concealed combination against the State, shall not without delay give information thereof to his Commanding Officer;—or

ARTICLE 6.

Who shall strike his Superior Officer, or shall draw or offer to draw, or lift up any weapon, or use or offer any violence, against him, whether on or off duty and under all circumstances in which his Superior Officer may be distinguishable as such in any manner;—or

Striking Superior Officer, &c.

ARTICLE 7.

Who shall disobey any lawful command of his Superior Officer;—or

Disobeying Superior Officer.

ARTICLE 8.

Who shall desert from Her Majesty's Service (whether or not he shall re-enter or re-enlist in the same); —or

Desertion.

ARTICLE 9.

Who, being a sentry, in time of war or alarm, shall sleep upon his post; or shall leave it before regularly relieved, or without leave; or shall plunder or injure the property placed under his charge;—or

Sentry in time of war or alarm sleeping upon or deserting his post, &c.

ARTICLE 10.

Who shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard, committed to his charge or which it was his duty to defend; or who shall use means to induce any other Officer or Soldier so to abandon or deliver up any such Garrison, Fortress, Post, or Guard; —or

Abandoning Garrison or Post, &c.

ARTICLE 11.

Who shall treacherously make known the watchword to any person not entitled to receive it according to the rules and discipline of war;—or

Making known watchword.

ARTICLE 12.

Who shall hold correspondence with, or give intelligence to the enemy, or any person in arms against the State, either directly or indirectly; or who, coming to the knowledge of such correspondence or communication, shall not discover it immediately to the Commanding Officer;—or

Communicating with the enemy.

ARTICLE 13.

Who shall directly or indirectly assist or relieve the enemy, or persons in arms against the State, with money, victuals, or ammunition; or shall knowingly harbour or protect any enemy or person in arms against the State;—or

Assisting or protecting enemies.

ARTICLE 14.

Who shall treacherously release, wilfully aid, or connive at the escape of an enemy or person in arms against the State, placed as a prisoner under his charge; —or

Releasing or conniving at the escape of an enemy.

ARTICLE 15.

Who shall misbehave himself before the enemy or persons in arms against whom he is led, or use means to induce others so to misbehave;—or

Misbehavior before the enemy.

ARTICLE 16.

Who shall in presence of an enemy, or of persons in arms against whom he is led, shamefully cast away his arms or ammunition;—or

Casting away arms, &c., in presence of an enemy.

ARTICLE 17.

Who shall leave his Commanding Officer, or his Post, or Colours, or Party, in time of action, to go in search of plunder; —or

Leaving post, &c. in time of action, for search for plunder.

ARTICLE 18.

Who, in time of war, shall do violence to any person bringing provisions or other necessaries to the Camp or Quarters of the Force; or shall force a safe guard; or break into any house or other place for plunder; or plunder fields or gardens, or other property; —or

Offering violence in time of war to person bringing provisions to Camp, &c.

ARTICLE 19.

Who, in time of war, shall, by discharging fire-arms, drawing swords, beating drums, making signals, using words, or by any means whatever, intentionally occasion false alarms in action, camp, garrison, or Quarters;—or

False alarm in time of war.

ARTICLE 20.

Who shall, without proper authority, release any State prisoner or through carelessness or neglect shall suffer any such prisoner to escape; or shall connive at the plunder or injury of property in time of war, or the plunder or injury of treasure, or of a Magazine or Dock Yard, by the sentry or guard in whose charge such property, or treasure, or Magazine, or Dock Yard is placed;—or

Releasing or conniving at escape of State prisoner.

ARTICLE 21.

Who being a sentry placed over any State prisoner, or over treasure, or over a Magazine or Dock Yard, shall quit his post without being regularly relieved, or without leave; or shall sleep upon his post; or shall plunder or injure the property placed under his charge;—

Sentry quitting his post, &c.

Shall, if an Officer, on conviction, suffer death or transportation for life or such other punishment as by a General Court Martial shall be awarded.

Punishment, if an Officer.

And, if a Soldier, shall on conviction suffer death or transportation for life; or imprisonment, with or without hard labor, for life or for any term of years, and with or without solitary

Punishment, if a Soldier.

confinement, or such other punishment as by a General Court Martial shall be awarded.

*Crimes punishable by General or other Courts Martial with any Sentence which by these Articles of War any General or other Court Martial respectively is empowered to award.*

ARTICLE 22.

Any Officer who shall behave in a manner unbecoming the character of an Officer (the fact or facts whereon the charge is grounded being clearly specified therein); —or

Officers misbehaving themselves.

ARTICLE 23.

Any Officer or Soldier who shall in operations in the field spread reports by words or letters calculated to create unnecessary alarm in the troops, or in the vicinity, or in rear of the Army; —or

Spreading reports calculated to create alarm.

ARTICLE 24.

Who shall, in action or previously to going into action, use words tending to create alarm or despondency; —or

Using words tending to create alarm.

ARTICLE 25.

Who shall be drunk when on or for duty or on Parade, or on the Line of march; —or

Being drunk.

ARTICLE 26.

Who shall strike or force any sentry; —or

Striking a sentry.

ARTICLE 27.

Who shall advise or persuade any other Officer or Soldier to desert, or who shall connive at such desertion; or who shall knowingly receive and entertain any deserter, and shall not immediately on discovery give notice to his Superior Officer, or shall not cause such Deserter to be apprehended by the Civil power; —or

Advising or persuading desertion, &c.

ARTICLE 28.

Who shall obtain or attempt to obtain for himself, or for any Officer or Soldier, or for any other person whatsoever, any pension or allowance, by any false statement, certificate, or document, or by the omission of the true statement, or certificate, or document; —or

Obtaining pension by false statement.

ARTICLE 29.

Who shall knowingly make a false return or report to any his Superior Officer authorized to call for a return or report of the state of the men under his command, or arms, ammunition, clothing, or other stores there-

Making false return to Superior Officer.

unto belonging, or of which he may have charge; —or

ARTICLE 30.

Who, at any post, or on the march, shall illegally and against the will of the parties, extort money or property of any description as fees or duties, or on any pretence whatever; or shall, without authority, exact from villagers, or others, carriage, portage, or provisions; —or

Extortion.

ARTICLE 31.

Who shall wantonly and intentionally defile any place dedicated to religious worship, or shall wantonly and intentionally insult the religious prejudices of other persons; —or

Defiling place of religious worship.

ARTICLE 32.

Who, being under arrest or in confinement, shall leave his arrest or confinement before he is set at liberty by competent authority; —or

Breaking arrest or confinement.

ARTICLE 33.

Who shall without orders, commit any waste, or spoil, or plunder, or shall injure or destroy any property; —or

Committing waste, &c.

ARTICLE 34.

Who shall knowingly enlist a deserter, or connive at his enlistment; —or

Enlisting a deserter.

ARTICLE 35.

Who, directly or indirectly, shall require or accept a bribe, present, or gratification, on the pretence of, or as a consideration for procuring leave of absence, promotion, or any other advantage or indulgence for any Officer or Soldier; —or

Demanding or accepting bribes.

ARTICLE 36.

Who, being in command of any post, or on the march, on complaint made to him of any person under his command beating or otherwise ill-treating any person, or extorting from him more than he is obliged to furnish by authority, or disturbing fairs or markets, or committing any kind of riot, shall not see reparation done to the party or parties injured; or, if that be impracticable, shall not report the same to his Superior Officer; —or

Those in command of post, &c., not seeing reparation done to injured parties, &c.

ARTICLE 37.

Who, being in command of a guard, shall refuse to receive any prisoner duly committed to his charge; or shall without proper authority release any prisoner, or shall suffer, through carelessness or neglect, any prisoner to escape; —or

Those in command of guard refusing to receive prisoners, &c.

ARTICLE 38.

Who shall quit his guard, or picket, in time of peace, without being regularly relieved or without leave; —or

Quitting guard or picket in time of peace.

ARTICLE 39.

Who shall impede the Provost Marshal or his Assistants or any other Officer or person legally exercising authority; or refuse to assist him when requiring his aid in the execution of his duty ;—or

ARTICLE 40.

Who, being on leave of absence, shall have received information from the Head Quarters of his Regiment, or from other competent authority, that his Regiment has been ordered on service, and shall not rejoin without delay ;—or

ARTICLE 41.

Who, in the time of peace, shall, by discharging fire-arms, drawing swords, beating drums, or by any other means whatever, intentionally occasion false alarm in camp, garrison, or cantonment ;—or

ARTICLE 42.

Who shall fail to repair, at the time fixed, to the parade, or place appointed for exercise or duty, if not prevented by sickness or some other sufficient cause ;—or

ARTICLE 43.

Who shall, without urgent necessity, or without leave of his Superior Officer, quit his company, or troop, or the parade ;—or

ARTICLE 44.

Who shall absent himself without leave; or shall, without sufficient cause, overstay the period for which leave may have been granted him ;—or

ARTICLE 45.

Any Officer or Non-Commissioned Officer who shall strike or otherwise ill-treat any Soldier ;—or

ARTICLE 46.

Any Soldier who shall be grossly insubordinate or insolent to his Superior Officer in the execution of his office ;—or

ARTICLE 47.

Who, being on actual service, shall refuse to assist in making field works ;—or

ARTICLE 48.

Who shall, contrary to orders, when off duty, appear in or about camp or cantonments, or on occasion of visiting towns or bazars, carrying a sword, bludgeon, or other weapon ;—or

ARTICLE 49.

Who shall sell, pawn, or designedly or through neglect lose or injure his horse, arms, clothes, accoutrements, or Regimental necessaries; or any of the above articles entrusted or belonging to any other Soldier; or who shall make away with or pawn any medal or decoration granted to him by order of Her Majesty or of the late East India Company or by order of the Government, for service in the field or for general good conduct ;—or

ARTICLE 50.

Any sentry who in time of peace shall sleep upon his post; or shall leave it before regularly relieved or without leave; Sentry in time of peace sleeping upon post, &c. —or

ARTICLE 51.

Any Soldier who shall be found two miles from the camp contrary to orders ;—or

ARTICLE 52.

Who shall, contrary to orders, be absent from his cantonment after tattoo, or from camp after retreat beating ;—or

ARTICLE 53.

Who shall sell, lose, or designedly, or through neglect, waste the ammunition delivered out to him ;— Shall, on conviction before a General or other Court Martial, be sentenced to suffer such punishment as any such Court Martial is by these Articles empowered to award.

ARTICLE 54.

All crimes not capital, and all disorders or neglect which Officers or Soldiers may be guilty of, to the prejudice of Good Order and Military Discipline, though not specified in these Articles, are to be taken cognizance of by Courts Martial, and to be punished according to the nature and degree of the offence, by the Sentence of a General, or District, or Garrison, or Regimental Court Martial.

*Embezzlement ; punishable by General Court Martial with Dismissal, Fine, and Imprisonment with or without hard labor, and with or without solitary confinement, of Officers and Soldiers.*

ARTICLE 55.

Any Officer or Soldier who shall embezzle or fraudulently misapply any money entrusted to him on the Public account, or for any Military purpose; or any provisions, Forage, Arms, Clothing, Ammunition, or Military Stores, of whatever kind or description, the property of Government, entrusted to his charge; or who shall wilfully spoil such property, or suffer it to be spoiled, or shall be



concerned in or connive at any such embezzlement or fraudulent misapplication :—

Shall, on conviction before a General Court Martial, be dismissed the Service, and fined to the extent of his arrears of Pay and Allowances; and be further liable to suffer Imprisonment with or without hard labor for a term which may extend to three years, and with or without Solitary Confinement.

*Disgraceful Conduct; punishable by General or District Court Martial, with Corporal Punishment or Imprisonment with or without hard labor and solitary confinement, and in addition with Forfeiture of additional Pay and of Pension on Discharge, and Stoppages, of Non-Commissioned Officers and Soldiers.*

ARTICLE 56.

Any Soldier who shall be guilty of *Disgraceful conduct* ;—

In wilfully maiming or injuring himself, or any other Soldier at the instance of such Soldier, with intent to render himself or such Soldier unfit for the Service, or with intent to take his own life ;—or

In malingering, feigning, or intentionally producing disease or infirmity ; or intentionally delaying his cure ; or intentionally aggravating his disease or infirmity ;—or

In stealing or selling Government stores ;—or

In stealing money or goods, the property of a Soldier, or of a Military Officer, or of any Military Mess, or of any person or persons belonging to or serving with or attached to the Army ;—or

In plundering or injuring property placed under his charge as Sentry, or in charge of his Guard, or in conniving at the plunder or injury of such property ;—or

In embezzling or fraudulently misapplying Public money entrusted to him for any Military purpose ;—or

In committing any petty offence of a fraudulent or dishonest nature, to the injury of or with intent to injure the Government, or any person, Civil or Military ;—or

Cruelty, indecency &c. Who shall be guilty of any other *Disgraceful Conduct*, being of a cruel, indecent, or unnatural kind ;—

Shall, on conviction before a General or District or Garrison Court Martial, be liable to suffer such punishments as any such Courts Martial are by these Articles of War respectively empowered to award for *Disgraceful Conduct*.

And every such offender shall, if not dismissed the Service, further be put under Stoppages, by Sentence of the Court, not exceeding half of his monthly Pay and Allowances, until the amount be made good of any loss or damage arising out of his misconduct.

And if such offender shall be dismissed the Service, he shall further be sentenced to forfeit his arrears of Pay and Allowances due at the time of his discharge, towards making good any loss or damage arising out of his misconduct, or in such proportion as may be required to make good such loss or damage.

*Crimes incident to Courts Martial; punishable by General or other Court Martial according to the nature and degree of the offence.*

ARTICLE 64.

Any person amenable to these Articles of War, who, when duly summoned before a Court Martial, shall not attend, or shall refuse to be sworn, or to make affirmation, or to answer any lawful question, or who shall induce any other person so to offend ;

Shall be sentenced by the same or another Court Martial, to such punishment as any Court Martial is by these Articles respectively empowered to award.

ARTICLE 65.

Any person not amenable to these Articles of War, who, having been summoned before any Court Martial, shall refuse or neglect to attend ; or who, attending, shall refuse to be sworn, or to make affirmation, or to answer any lawful question ; or shall give such testimony as if given in a Criminal Court would render him guilty of perjury ; or who shall induce any other person so to offend ;

Shall be delivered to a Magistrate to be proceeded against according to Law.

ARTICLE 66.

Any person using menacing or disrespectful words, signs, or gestures, in the presence of a Court Martial then sitting, or causing any disorder or riot so as to disturb their proceedings, or being grossly insubordinate or violent in the presence of a Court Martial ;

Shall be punished according to the condition of the offender and the nature and degree of his offence, by the sentence of the same or another Court Martial, if he be amenable to these Articles of War ; and if not amenable to these Articles of War, the offender shall be delivered over to the Magistrate to be proceeded against according to Law.

*Perjury; punishable by General or District Court Martial with dismissal and fine or Imprisonment.*

ARTICLE 67.

Any Officer or Soldier who shall be found guilty of wilfully and knowingly giving false evidence on oath or affirmation on any trial before any General or other Court Martial, or any Military Court entitled to administer an oath ; or of inducing any other person so to offend ;

Shall be dismissed the Service, and shall be further subject to Fine to the amount of his arrears of Pay and Allowances, or to Imprisonment which may extend to three years;—according to the Sentence of a General, or District, or Garrison Court Martial.

ARTICLE 68.

Whereas it may be advisable that some of the offences which by the foregoing Articles are directed to be tried by a General or District or Garrison Court Martial, should, in certain cases which admit of less serious notice, be tried by District or Garrison or Regimental Courts Martial—in such cases the Officer Commanding the Regiment or Corps to which the offender belongs may, if he thinks it expedient and for the good of the Service, order the offender to be tried by Regimental Court Martial, for any offence ordinarily cognizable by District or Garrison Court Martial; making however a report in every such case, for the information of the General Officer Commanding the Division, of the reasons of his having so proceeded; or such Commanding Officer may lay a particular statement of the case before the General or other Officer having authority to convene General or District or Garrison Courts Martial, under whose command such offender may be serving, with an application for permission to try the offender by District or Garrison or Regimental Court Martial; and such General or other Officer will exercise his discretion in complying or not with such application; but the permission of such General or other Officer so to proceed, shall be entered upon the proceedings at the trial of such offender;

Provided that Mutiny shall not be considered one of the offences admitting of such discretionary investigation.

ARTICLE 69.

For offences committed on the line of march, or on board any ship or other vessel, the Officer in the Command of the Troops is hereby authorized to try any Soldier by a Regimental or Detachment Court Martial, and to confirm and execute the sentence on the spot.

Provided that such sentence shall in no case exceed that which a Regimental Court Martial is competent to award;—and that the proceedings held in all such cases shall be transmitted for the information of the Commander-in-Chief.

SECTION III.

*Administration of Justice.*

ARTICLE 70.

Whenever any Officer or Soldier shall commit a crime deserving punishment by Court Martial, he shall, by his Commanding Officer, be put under arrest, if an Officer or Non-Commissioned Officer; or if a Soldier, be confined; until he shall be either tried by a Court Martial, or shall be lawfully discharged by a proper authority; and no Officer or Soldier who shall be put in such arrest or confinement shall continue in his confinement longer than may be actually unavoidable.

And such process of arrest or confinement, or an attempt to effect such process, shall in no case be omitted where it may be practicable; but where resist-

ance may be made, or from other circumstances such process may be impracticable, the offender or offenders shall be liable to trial and punishment at any subsequent period, within the limitations provided in these Articles of War.

ARTICLE 71.

No person shall be liable to be tried or punished for any offence against these Articles, which shall appear to have been committed more than three years previous to the order directing the assembly of the Court Martial whereby he is to be tried unless the person accused, by reason of his absenting himself, or some other manifest impediment, shall not have been amenable to justice within that period; in which case such person shall be liable to be tried at any time not exceeding two years after the impediment shall have ceased.

ARTICLE 72.

Any person amenable to these Articles of War, who may commit any offence against the same, may be tried and punished for such offence in any place within the British Territories, or elsewhere, where he may have come after the commission of the offence, in the same manner as if the offence had been committed where such trial shall take place.

ARTICLE 73.

The Commander-in-Chief at the Presidencies of Fort William, Fort St. George, and Bombay respectively for the time being, may appoint General or other Courts Martial, and confirm, and mitigate or commute, or remit the sentence of such Courts; and may issue his Warrant to any General or other Officer having the Command of a Body of Troops in the Service of Her Majesty, empowering such Officers to appoint General, or District, or Garrison Courts Martial as occasion may require, for the trial of offences committed by any of the Officers or Soldiers, or Followers in the Service of Her Majesty, not being British born subjects of Her Majesty; and to confirm and mitigate, or commute, or remit the Sentences of such Court Martial. Provided that in case of any Sentence, including Forfeiture of additional Pay or of Pension on Discharge, or of any prospective advantage, such Sentence shall not be carried into effect until confirmed by the Commander-in-Chief; and all Forfeitures of any present or prospective advantage shall be restorable by the same authority.

*Composition of Courts Martial.*

ARTICLE 74.

A General Court Martial shall not consist of less than thirteen Commissioned Officers, unless it be held out of the British Territories, where such Court Martial may consist of seven Commissioned Officers, if a greater number cannot be conveniently assembled. And no Sentence of a General Court Martial shall be put in execution until after a report shall have been made of the whole proceedings to the Commander-in-Chief, or to some other person duly authorized to confirm the same, and until his directions shall have been signified thereupon.

## ARTICLE 75.

**Constitution of District or Garrison Court Martial.**  
 A District or Garrison Court Martial shall consist of not less than seven Commissioned Officers, except in situations where that number cannot be conveniently assembled, when such Court may consist of not less than five Commissioned Officers. And such District or Garrison Court Martial may be composed of Officers of the same Regiment, and shall be assembled in conformity with the orders of the Commander-in-Chief.

And the Sentence of a District or Garrison Court Martial shall be confirmed by the Commander-in-Chief, or by some Officer duly authorized to confirm the same.

## ARTICLE 76.

**Constitution of Regimental Court Martial.**  
 A Regimental Court Martial shall consist of not less than five Commissioned Officers, (unless it be found impracticable to assemble that number, when three may be sufficient;) and shall be assembled by order of the Officer Commanding the Regiment. And no Sentence of a Regimental Court Martial shall be of force until the Commanding Officer shall have confirmed the same. Provided that such Commanding Officer shall have power to remit all Sentences whatever passed by such Court, and thereupon to cause the offender to be released and to return to his duty.

*Powers of Court Martial.*

## ARTICLE 77.

**Death, transportation, or imprisonment.**  
 A General Court Martial may sentence any Officer or Soldier to Death or Transportation, or any Soldier to Imprisonment for Life, or for any term of years, for any crimes which are by these Articles of War expressly made liable to any such Sentence, and for such crimes only. Provided that no Court Martial inferior to a General Court Martial shall have power to pass a Sentence of Death or Transportation or Imprisonment for Life.

*Punishments of Commissioned Officers.*

**Dismissal, suspension, or reduction to ranks.**  
 A General Court Martial may sentence a Commissioned Officer to be dismissed the Service; or to be suspended from Rank and Pay and Allowances for a stated period; or to be placed lower in the list of his Rank, by an alteration of the date of his Commission, thereby losing the corresponding benefit or length of service; and the Court shall specify the extent of such reduction: Provided that no Court Martial inferior to a General Court Martial shall have power to try a Commissioned Officer.

*Punishments of Non-Commissioned Officers and Soldiers.*

**Reduction to ranks, corporal punishment, imprisonment, or solitary confinement.**  
 A General or District or Garrison or Regimental Court Martial, may sentence a Non-Commissioned Officer to be reduced to the Ranks: or may sentence any Non-Commissioned Officer or Soldier to be dismissed the Service;—or to be placed lower in the list of the Rank which he holds (which shall

involve the forfeiture of the corresponding length of service), the extent of such reduction to be specified in the sentence of the Court;—or to suffer Corporal Punishment not exceeding fifty Lashes;—or Imprisonment with or without hard labor;—and to be kept in Solitary Confinement for any portion or portions of such Imprisonment, not exceeding fourteen days at a time nor eighty-four days in any one year, with intervals between the periods of Solitary Confinement of not less duration than such periods of Solitary Confinement. Provided that no Soldier shall be kept in Solitary Confinement more than eighty-four days in any one year, whether by the Sentence of one or more Courts Martial, or by order of the Commanding Officer. Provided also that no Sentence of Imprisonment shall be awardable by General Court Martial for any period exceeding two years (except when otherwise expressly provided); nor by a District or Garrison Court Martial for any period exceeding one year; nor by a Regimental Court Martial for any period exceeding six calendar months; and that no Non-Commissioned Officer shall be sentenced to Imprisonment or Corporal Punishment without being first reduced to the Ranks.

*Punishment of "Disgraceful Conduct."*

**Forfeiture of pay or pension in addition to corporal punishment or imprisonment.**  
 And a General or District or Garrison Court Martial may, in addition either to Corporal Punishment or to Imprisonment, sentence a Soldier convicted of Disgraceful Conduct to forfeiture of all advantage as to additional Pay and to Pension on discharge, which might have otherwise accrued from the length or nature of his former service; or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, according to the nature of the case. Provided that no Soldier shall be tried for Disgraceful Conduct by any Court Martial inferior to a District or Garrison Court Martial.

**Forfeiture and stoppages in addition to dismissal.**  
 And a General or other Court Martial may, in addition to the punishment of Dismissal, sentence any Officer or Soldier to forfeit his arrears of Pay and Allowances due at the time of his discharge, or such proportion thereof as may be required, to make good any loss or damage arising out of his misconduct:—And in addition to any punishment not involving Dismissal from the Service, may sentence any Officer or Soldier to be put under stoppages not exceeding two-thirds of his Pay and Allowances in the case of an Officer, and not exceeding half of his Pay and Allowances in the case of a Non-Commissioned Officer or Soldier, until the amount of such loss or damage be made good.

**Forfeiture of Pay during confinement.**  
 Every Soldier subject to Confinement in the Quarter-Guard, or Defaulters' Room, or in a Solitary Cell, or in any other place appointed for Imprisonment under Military custody, shall forfeit all claim to Pay and Allowances during such Confinement, whether under the Sentence of a Court Martial or of the Commanding Officer, and shall receive subsistence only, according to the rates laid down in the Regulations.

ARTICLE 78.

Whenever Sentence shall be passed by a Court Martial on an offender already under sentence of Imprisonment, the Court may award Sentence of Imprisonment for the offence for which he is under trial, to commence at the expiration of the Imprisonment to which he shall have been so previously sentenced, although the aggregate of the terms of Imprisonment respectively may exceed the term for which Imprisonment could otherwise be awarded.

Confirmation and Commutation of Sentences.

ARTICLE 79.

In cases where a Sentence of *Death* shall have been awarded by a General Court Martial, the Commander-in-Chief may confirm such Sentence and cause it to be carried into effect; or may in lieu thereof order the offender, if an Officer, to be transported for Life or to be imprisoned for any term of years; and if a Soldier, to be transported for Life or to be imprisoned with or without hard labor for Life or for any term of years, and with or without Solitary Confinement.

In cases wherein a Sentence of *Transportation* has been awarded by a General Court Martial, the Commander-in-Chief may in lieu thereof order the offender, if an Officer, to be imprisoned for any term of years; and if a Soldier, to be imprisoned with or without hard labor and with or without Solitary Confinement for any term of years.

In lieu of a Sentence of *Dismissal*, in the case of an Officer, the Commander-in-Chief may order the offender to be suspended from Rank and Pay and Allowances for a certain period to be distinctly specified by the Commander-in-Chief.

Any Officer having authority to confirm the Sentence of a Court Martial, may commute a Sentence of *Corporal Punishment* to *Dismissal* from the Service, or to Imprisonment without hard labor not exceeding one year, and with or without Solitary Confinement;—or may commute a Sentence of *Imprisonment with hard labor* to Imprisonment without hard labor and with or without Solitary Confinement, for the same or for a less period,—or to Dismissal from the Service.

And a Non-Commissioned Officer sentenced to *Corporal Punishment*, or to *Imprisonment with hard labor*, or to *Dismissal*, may in lieu of any such Sentence be reduced to the Rank, or placed lower in the list of the Rank which he holds, which shall involve the corresponding forfeiture of service.

ARTICLE 80.

The Commanding Officer for the time being of any Native Regiment may summarily try all offences against these Articles of War committed by any person subject to these Articles (not being a Commissioned Officer,) and Sentence such offender on conviction, and carry out such Sentence without confirmation or any further authority, notwithstanding any

provision to the contrary contained in the said Articles of War; provided that such Sentence shall not exceed the powers of a District or Garrison Court Martial.

A Commanding Officer holding a trial under this Article shall be deemed a Court Martial, and the word "Court Martial" in these Articles of War, so far as such Articles are applicable to persons amenable thereto, shall be deemed to include a Commanding Officer holding a trial.

The proceedings on such summary trials by a Commanding Officer shall be conducted in the presence of two or more European or Native Commissioned Officers, and shall be recorded in the English language, and the evidence shall be taken on oath or affirmation and interpreted by a competent Interpreter upon solemn affirmation; and when the Commanding Officer shall have recorded the Finding and Sentence, the proceedings shall be signed by such Commanding Officer and by the Officers in whose presence the trial was held, and shall, without delay, be forwarded to the General Officer Commanding the Division, who is hereby authorized to set aside the trial for reasons based on the merits of the case, but not of a merely technical nature; provided that every Sentence so awarded by the Commanding Officer may be carried out without waiting for its approval by the reviewing Officer.

ARTICLE 81.

An Officer Commanding any Detachment of his own Regiment may assemble *Regimental Detachment Courts Martial*;—and an Officer Commanding a Detachment consisting of men of different Corps may assemble *Detachment or Line Courts Martial*;—and all such Courts shall be constituted in the same manner as *Regimental Courts Martial* under the provisions of these Articles of War, and shall have the like powers.

And the provisions of these Articles of War relating to Courts Martial held in Regiments, shall be taken to apply to Courts Martial held in Detachments, in all practicable cases.

Provided that no Officer on detached Command of less than three Troops or Companies, or of Detachments numerically equal to three Troops or Companies, and not being on the line of march or on board any Ship or other Vessel, shall carry into effect any punishment awarded by a Court Martial held by his order, until the Sentence shall have been confirmed by the Officer Commanding the Regiment to which the offender belongs, or by the nearest Superior Officer holding a Command of not less than a Regiment;—(who is hereby authorized to confirm the same, in like manner as an Officer Commanding a Regiment is empowered to do;) except in detached situations beyond Sea or out of the British Territories, or when on Service in the Field, or in cases where an immediate example is necessary and reference cannot be made to such Commanding or Superior Officer without detriment to the Service; when the Officer Commanding such Detachment may exercise the powers which are vested in an Officer Commanding a Regiment.

The Commanding Officer of such Detachment; and the Commanding Officer of any European Detachment to which Native details of less strength than three Troops or Companies are attached; and Commissaries of Ordnance or other Officers in

charge of Arsenals, Ordnance Establishments, and Camp Equipage Depôts; may summarily try all offences against these Articles of War, committed by any person subject to these Articles (not being a Commissioned Officer), and sentence such offender on conviction, and carry out such Sentence without confirmation or any further authority, provided that such Sentence shall not exceed the powers of a Regimental Court Martial.

And such Commanding Officer or other Officer holding a trial under this Article shall be deemed a Court Martial, and the word "Court Martial" in these Articles of War, as far as such Articles are applicable to persons amenable thereto, shall be deemed to include such Commanding Officer or other Officer holding a trial.

The proceedings on such summary trial by such Commanding Officer or other Officer shall be conducted, so far as may be practicable, and shall be recorded, in the same manner as is provided in Article 78 for summary trials by Officers Commanding Regiments, and shall in like manner be signed and forwarded to the General Officer Commanding the Division within which such Detachment may be at the time, who is hereby authorized to set aside the trial for the same reasons that a General Officer Commanding a Division is authorized by Article 78 to set aside a trial by an Officer Commanding a Regiment; provided that every Sentence so awarded by the Officer Commanding such Detachment or other Officer holding a trial under this Article may be carried out without waiting for its approval by the reviewing Officer.

#### ARTICLE 82.

In cases of light offences, a Commanding Officer may, without the intervention of a Court Martial, award Punishment of Extra Drill; restriction to Barrack limits, or within the Lines of the Regiment or Camp; confinement in the Quarter Guard or Defaulters' Room, or in a Solitary Cell; removal from Staff situations or acting appointments; or may order Soldiers to be employed in piling and unpling shot, and in cleaning accoutrements of men in Hospital; but none of these descriptions of punishments shall be awardable by Sentence of a Court Martial. Provided that Soldiers in confinement shall be liable to be ordered to attend ordinary Drill.

Provided also that the Commander-in-Chief shall prescribe the periods for which offenders shall be liable to Drill or confinement or restriction to local limits, as authorized in this Article.

#### ARTICLE 83.

For any offence in breach of the authorized Rules and Regulations of any Cantonment, the Commanding Officer of the Cantonment may sentence the offender (provided he be not a European British subject or a European or Native Officer or Soldier), notwithstanding he may not be amenable to any Articles of War and not be under the Military Command of such Commanding Officer, to pay a fine not exceeding Rupees; and in default of payment of such fine and in lieu thereof to Imprisonment for any period not exceeding days; and the Officer in charge of any Jail shall give effect to such Sentence of Imprisonment, on the receipt of a Warrant under the hand of the Officer Commanding the Cantonment

requiring him so to do, and of the person of the offender.

#### ARTICLE 84.

For any offence in breach of good order, a Commanding Officer may sentence any Follower of the Corps or Detachment under his Command to Imprisonment for any period not exceeding seven days, or, if the offender be not of a degree superior to that of a menial Servant, to undergo Corporal Punishment not exceeding twelve strokes of a Rattan, or if of the above excepted superior degree, to fine not exceeding Rupees.

#### *Execution of Sentences of Courts Martial.*

#### ARTICLE 85.

In every Sentence of Death awarded by a General Court Martial, the Court shall specify that the offender shall "suffer Death by being hanged by the neck until he be dead," or "by being shot to Death," as the Court in their discretion shall deem expedient, and such Sentence, if confirmed, shall be carried into effect accordingly.

#### ARTICLE 86.

Whenever the Sentence of a General Court Martial shall adjudge Transportation, or Sentence of Death shall be commuted by competent authority to Transportation, any of the Sudder Courts shall give effect to such Sentence, on the same being certified to the Court under the authority of the Commander-in-Chief.

And whenever any Sentence of a Court Martial shall adjudge Imprisonment with hard labor or solitary confinement, or both, or whenever the Sentence of a Court Martial shall be commuted to any such Imprisonment, it shall be the duty of every Judge, Magistrate, Sheriff, or other Officer in charge of a Jail, to give effect to such Sentence, on the offender being delivered into his custody, and on being furnished with a copy of the Sentence by the Officer Commanding the Station, or Regiment, or Detachment, within which the trial is held.

#### ARTICLE 87.

Whenever any Soldier shall be sentenced to Imprisonment for life, or a Sentence of Death shall be commuted to Imprisonment for life, it shall be lawful for the Commander-in-Chief to order such offender to be Transported beyond Sea for life, and such order shall thereupon be made unless there should be special reasons inducing the Commander-in-Chief to think such Prisoner not a proper subject for Transportation.

#### ARTICLE 88.

Persons sentenced to Imprisonment by Courts Martial shall be imprisoned in any Public Prison or in any other fit place which the Commander-in-Chief shall from time to time direct.

#### ARTICLE 89.

Every Soldier sentenced to Imprisonment with hard labor, shall, previous to undergoing such punishment, be struck off the strength of the Corps from the date of confirmation of such



Sentence; and no Soldier who has undergone such punishment for any period shall be capable of being re-admitted in the Ranks, or of receiving Pension on Discharge.

ARTICLE 90.

Dismissal with ignominy. Offenders sentenced to Dismissal for *Disgraceful Conduct*;

And offenders sentenced to Corporal Punishment, or to Imprisonment with hard labor for *Disgraceful Conduct*—shall, on any such Sentence being confirmed, be dismissed with ignominy.

ARTICLE 91.

In every case wherein a Fine or Forfeiture of arrears of Pay, or Stoppages, shall be adjudged by a Court Martial, any Pay or public money due to the offender, or that may become due to him, shall be available, with the sanction of the Commander-in-Chief, for the payment of the amount so adjudged.

And no Soldier sentenced to pay a Fine or to Stoppages to make good any loss or damage arising out of his misconduct, shall be continued under Forfeiture or Stoppages under any one such Sentence for any period exceeding one year; and no Soldier shall be at any one time placed under Forfeiture or Stoppages exceeding in the whole the amount of half his Pay and Allowances, nor be liable to be put under Stoppages prospectively while actually under Stoppages to the amount of half of his Pay and Allowances.

*Forms of Proceeding.*

ARTICLE 92.

Trials by Courts Martial may be carried on between the hours of six in the morning and four in the afternoon, and not otherwise, except in cases which may require an immediate example.

ARTICLE 93.

At General Courts Martial a Judge Advocate, or an European Officer of not less than ten years' service, shall be appointed to conduct the proceedings.

At all Courts Martial inferior to General, an European Officer of not less than four years' standing in the Service, (except in cases where no Officer of that standing may be available,) or the Adjutant of the Regiment, shall be appointed to conduct the proceedings.

ARTICLE 94.

An Interpreter shall be appointed to all Courts Martial; and any Interpreter or other competent person available at the Station where the Court Martial may sit shall be appointed as occasion may require by the Officer Commanding at such Station, on application from the Judge Advocate or Superintending Officer at such Court Martial. But in situations where the services of an Interpreter or other competent person are not available, the Superintending Officer at the Court Martial shall perform the duty of Interpreter.

ARTICLE 95.

At all Courts Martial the Senior Officer shall sit as President without being so appointed by Warrant. Provided that all Rissaldar Majors and Subadar Majors are to take precedence according to the dates of their Commissions, and above all Native

Officers holding the rank of Subadar or Rissaldar; and that Sirdar Bahadoors and Bahadoors shall rank only according to their respective Commissions of Rissaldar Major, Subadar Major, Rissaldar, Subadar, or Jemadar. Rissaldars and Rissaldars will take rank with Subadars, and Naib Rissaldars with Jemadars, according to the dates of their respective Commissions.

In case of the death or unavoidable absence of the President, the next Senior Member shall take the place of President, and the trial shall proceed, provided that the Court shall still consist of at least the number of Members of which such Court is directed to consist by these Articles of War.

ARTICLE 96.

No Finding or Sentences of a Court Martial shall be revised more than once, and no evidence shall be received on such revision. For the purpose of such revision the President and all the Members shall be convened if possible. But if any of them should be unavoidably absent, the remaining Members may proceed with such revision, provided they are not fewer than the smallest number directed in these Articles respectively. When all the same Members do not meet, the circumstances are to be duly certified on the face of the proceedings.

ARTICLE 97.

All the Members of a Court Martial are to preserve order, and in giving their votes upon all matters are to begin with the youngest; and in all cases where a Sentence of Death may not be awarded, the decision shall be by the majority of Members present, provided the number of Members present be not less than that required by the preceding Articles; but in case of an equality of votes, the decision shall be in favor of the Prisoner; the President at a Court Martial shall vote with the other Members, but shall have no casting vote. Provided that in cases of an equality of votes upon other questions than the Finding and the Sentence the President shall have a casting vote.

ARTICLE 98.

No Sentence of Death shall be given against any offender by a Court Martial, unless two-thirds of the Members present concur therein, or four where the Court consist of five Members, or five where the Court consist of seven.

*Affirmations.*

ARTICLE 99.

On the assembly of a Court Martial, the Judge Advocate or Superintending European Officer shall administer to the Interpreter the following Solemn Affirmation:—

"I, A. B., solemnly affirm in the presence of Almighty God, that I will faithfully interpret and translate the proceedings of the Court, and that I will not divulge the Sentence until it shall have been published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or Court Martial, in due course of Law."

In case of the unavoidable absence of an Interpreter, the European Superintending Officer of a

Court Martial inferior to General, shall make the Solemn Affirmation prescribed for the Interpreter.

The Judge Advocate or Superintending Officer shall then cause the following Solemn Affirmation to be made by each Member:—

**Member's Affirmation.**  
 "I, A. B., solemnly affirm in the presence of Almighty God, that I will duly administer justice according to the Articles of War, without partiality, favor, or affection, and, if any doubt shall arise, then, according to my conscience, the best of my understanding, and the custom of War in the like cases; and that I will not divulge the Sentence of the Court until it shall be published by authority; and further, that I will not disclose or discover the vote or opinion of any particular Member of the Court, unless required to give evidence thereof by a Court of Justice or a Court Martial in due course of Law."

The following Solemn Affirmation shall then be administered by the Interpreter to the Judge Advocate or Superintending Officer:—

**Judge Advocate's Affirmation.**  
 "I, A. B., solemnly affirm in the presence of Almighty God, that I will not upon any account whatsoever disclose or discover the vote or opinion of any particular Member of the Court Martial, unless required to give evidence thereof as a Witness by a Court of Justice or a Court Martial in due course of Law, and that I will not, unless it be necessary for the due discharge of my official duties, disclose the Sentence of the Court, until it shall be published by authority."

Provided that it shall be necessary to re-administer these Solemn Affirmations on the commencement of fresh trials before the same Court.

#### ARTICLE 100.

All persons who give evidence at a Court Martial are to be examined on Oath according to the forms of their respective religions or on Affirmation—and persons of the Hindoo or Mahomedan persuasion and other persons making Affirmation, shall make Affirmation to the following effect:—

"I solemnly affirm, in the presence of Almighty God, that what I shall state shall be the truth, the whole truth, and nothing but the truth."

And if any person making such Affirmation as aforesaid, shall wilfully and falsely state any matter or thing which if the same had been sworn would have amounted to perjury, every such offender shall be subject to the same punishment to which persons convicted of perjury are subject.

#### ARTICLE 101.

In all cases where persons required as Witnesses before a Court Martial, may not be amenable to Military Law, the Judge Advocate or Commanding Officer shall transmit to the Magistrate within whose jurisdiction the Witness may reside, his summons for the attendance of such person, and the Magistrate shall cause the Witness to be duly summoned.

**Summoning Witnesses not amenable to these Articles.**

#### ARTICLE 102.

If any Officer or Soldier subject to these Articles of War shall have been illegally absent from his duty for the space of two months, a Regimental Court of Enquiry composed of three Commissioned Officers, of whom all may be European or all Native, or one or more may be European and one or more Native, shall

**Record in the Regimental Books of absence without leave and of the declaration of a Court of Enquiry thereon; to have the same effect as a conviction for desertion.**

forthwith assemble, and having received proof of the fact on Oath or Solemn Affirmation, shall declare such absence and the period thereof; and the Officer Commanding the Corps shall enter a record of such absence, and of the declaration of such Court of Enquiry thereon in the Regimental Books; and if such Officer or Soldier shall not afterwards surrender or be apprehended, such record shall have the legal effect of a conviction for desertion, except as regards the person of the offender; and if such Officer or Soldier shall surrender or be apprehended after such record shall have been so entered, such record, or copy thereof purporting to bear the signature of the Officer having the custody of the Regimental Books, shall, on the trial of such Officer or Soldier on a charge for desertion, be admissible in evidence of the facts therein recorded; and on proof of the identity of the prisoner with the Officer or Soldier therein mentioned, he may be found guilty of desertion.

#### ARTICLE 103.

If, upon the trial of any Officer or Soldier subject to these Articles of War,

for desertion, it shall be proved that such Officer or Soldier has been illegally absent without leave, or has overstayed his leave, for the space of two months, such proof shall be deemed sufficient presumptive evidence of the desertion of such Officer or Soldier, and shall be sufficient to convict him of the offence of desertion, unless he shall prove that such unauthorized absence was not wilful on his part, or shall otherwise rebut the presumption of desertion arising from proof of his absence without leave.

#### ARTICLE 104.

Whenever any such Officer or Soldier, upon his trial for desertion or absence

**Reference to Government Officers as to the truth of statement concerning cause of absence.**

without leave, shall state in his defence that his unauthorized absence was not wilful or that he was detained in his Village from sickness, or advance any other sufficient excuse for his absence, or any matter sufficient to rebut any presumptive evidence of desertion, and shall refer to any European Civil or Military Officer of Government in support of his statement; or if it shall appear to the Court Martial or the Commanding Officer exercising summary jurisdiction, that the truth or falsehood of such statement may be ascertained by reference to any such Civil or Military Officer of Government, it shall be the duty of the Court or Commanding Officer to address such Civil or Military Officer on the subject, and to adjourn their proceedings for the purpose; and the statement in reply, if favorable to the Prisoner, shall be admissible in evidence, and held to have the same effect as if the statement had



been made before the Court or Commanding Officer by such Civil or Military Officer in person on Oath or Solemn Affirmation. Should any Court before which a Prisoner is being tried be dissolved, prior to the receipt of the reply to any communication made under the above instructions to any Public Functionary, a fresh Court may be ordered, and the trial shall be commenced again before such Court, or before the Commanding Officer, as may be deemed most expedient.

#### ARTICLE 105.

For the prompt and instant repression of all Powers and Duties irregularities and crimes which of Provost Marshals. may be committed by Troops in the Field and on the Line of March, Provost Marshals shall be appointed by the Commander-in-Chief, and their powers shall be regulated according to the established usages of War and Rules of the Service; their duties are to take charge of Prisoners confined for offences of a general description; to preserve Good Order and Discipline; to prevent breaches of both by Soldiers and Followers of the Army, and to punish on the spot, on the same day, those whom they may find in the immediate act of committing breaches of Good Order and Military Discipline: Provided that the punishment be limited to the necessity of the case, and shall accord with orders which the Provost Marshals may from time to time receive from the Commander of the Forces in the Field; and that, whatever may be the crime, the Provost Marshal or his Assistant shall see the offender commit the act for which summary punishment may be inflicted; or if the Provost Marshal or his Assistant should not see the offender actually commit the crime, but that sufficient proof can be established of the offender's guilt, a report shall be made to the Commander of the Army in the Field, who is hereby empowered to deal with the case as he may deem most conducive to the maintenance of Good Order and Military Discipline. The duties of Provost Marshals being limited to the punishment of offenders whom they may detect in the actual commission of any crime, the General Commanding the Forces in the Field will cause them to exercise the powers entrusted to them in such manner and under such circumstances as he may consider best calculated to prevent and instantly to repress crimes injurious to the discipline of Her Majesty's Army and the Public Service.

#### ARTICLE 106.

At any Presidency where the Native Troops Trials by Euro- have hitherto been authorized to claim to be tried by European Courts Martial. every person amenable to these Articles of War, and who may be under orders for trial by a Court Martial, shall have the right to claim to be tried by European Officers; and should he make such claim, the Court, whether General, District, or Garrison, or Regimental, shall be composed of European Commissioned Officers, and the number of Members and the proceedings shall be governed in all respects by the provisions of these Articles.

And it shall be competent to the Governor General of India in Council by a General Order to authorize any Native Troops to claim to be tried in like manner by European Courts Martial.

Provided also that it shall be competent to the Governor General in Council, or to the Governor in Council of any Presidency, by an Order in

Council, to direct that Courts Martial may be composed of European Commissioned Officers; and whenever such Order shall be issued, the Commander-in-Chief at any Presidency shall make Regulations for convening such Courts Martial, the proceedings of which shall be regulated in every respect as directed in these Articles of War for Native Courts Martial.

### SECTION IV.

#### *Effects of the Dead.*

#### ARTICLE 107.

When any Officer or Soldier, or any person receiving Public Pay drawn by an Officer in charge of a Public Department belonging to the Army, may die, or be killed in the Service, the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, shall, if no Heir or Executor be present, secure his Effects, and direct an Inventory thereof to be taken, a duplicate of which is to be lodged in the Office of the Adjutant, or Officer in charge of the Department.

#### ARTICLE 108

If there be no Heir or Executor on the spot, the effects are to be publicly sold; the Commanding Officer of the Regiment or Party, or Officer in charge of the Department, after discharging the debts of the deceased, namely, the expense of Funeral Ceremonies, his Debts in Camp or Quarters, and Regimental Debts of every description, shall account for the residue to the Heir or Heirs declared by Will, whether written or verbal, or nominated in the Regimental Register, or in failure of such to the legal representative of the deceased; and in the event of no Executor, Heir, or other representative of the deceased attending and establishing his claim within twelve months from the date of the casualty, the amount in the hands of the Officer having charge of the Estate is to be remitted to the General Treasury at the Presidency.

### SECTION V.

#### *Miscellaneous.*

#### ARTICLE 109.

The Effects of Deserters are to be publicly sold, and the proceeds, after payment of Regimental Debts, remitted by the Officer Commanding the Corps to which the Deserter belongs, to the General Treasury at the Presidency, or appropriated according to the rules obtaining at such Presidency.

#### ARTICLE 110.

All powers and provisions contained in these Articles relating to the Commander-in-Chief shall be construed to extend to the Commander-in-Chief at any Presidency, and to the Officer Commanding the Forces for the time being at any Presidency, unless when otherwise provided.

All powers and provisions contained in these Articles relating to Soldiers, shall be construed